



W.P.(MD).No.11023 of 2021

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.11023 of 2021

K.Kalaiselvan

... Petitioner

Vs.

1.The Principal Commissioner &
Secretary,
Land and Revenue Administration,
Ezhilagam, Chepakkam,
Chennai.

2.The District Collector,
Office of District Collector,
Trichy,
Trichy District.

3.The Joint Director,
Rural Development and Panchayat
Department,
Trichy Collector Office,
Trichy.

4.The Assistant Collector,
Assistant Collector Office,
Musiri Taluk,
Trichy District.

5.The Tahsildar,
Thuraiyur,
Trichy District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 2nd respondent to conduct the enquiry on the petitioner's representation dated 30.03.2021 and 03.04.2021 as per the communication of the 1st respondent in Letter No.Pani 7(3) / 12478 / 2021 dated 21.04.2021 and for such other reliefs, within the period as stipulated by this Court.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.D.Gandhi Raj,
Special Government Pleader

Advocate Commissioner : Mr.Ajith Geethan

ORDER

The prayer of the writ petition is as follows:

This writ petition has been filed to direct the 2nd respondent to conduct the enquiry on the petitioner's representation dated 30.03.2021 and 03.04.2021 as per the communication of the 1st respondent in Letter No.Pani 7(3) / 12478 / 2021 dated 21.04.2021 and for such other reliefs, within the period as stipulated by this Court.

2. The facts and circumstances which led to the filing of this writ petition are as follows:



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The petitioner came to know that Imayam College of Information Technology (MCA), without constructing any building in Survey No.198/2(p), has obtained public building license from the revenue authorities with malafide intention. Hence, the petitioner had sent several representations in this regard to take appropriate action cancelling the fraudulently obtained building license and the last of which were on 30.03.2021 and 03.04.2021. In the meanwhile, the petitioner has also made an application under Right to Information Act, wherein he was informed that, the Joint Director of the Revenue Department had required the District Collector of Trichy District to take appropriate action against the employees mentioned in the petitioner's complaint, if any, irregularities are found in this regard. Despite the same, nothing happened positively and hence, this writ petition came to be filed seeking direction to the 2nd respondent to conduct enquiry on the basis of the petitioner's representation dated 30.03.2021 and 03.04.2021, as per the communication of the 1st respondent's letter dated 21.04.2021 addressed to the District Collector, Trichirappalli.

3. When the matter was taken up for hearing on 02.07.2024, the learned counsel for the petitioner submitted that, without any building, the said Imayam College has managed to get public building license from the revenue authorities. In



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view of the said representation, an Advocate Commissioner was appointed by this Court and the learned Advocate Commissioner Mr.Ajith Geethan has inspected the site in survey No.(*) **198/2 (P)** of Kannanoor Village, Thuraiyur Taluk, Trichy District and has submitted a plan and report. It has come clear from the report filed by the learned Advocate Commissioner that, except a small generator room of a total area of 500 square feet, no other building is found in the said survey and the said land is a part of the Imayam College of Information Technology (MCA).

4. The learned Special Government Pleader, Mr.D.Gandhiraj, in response to the report filed by the learned Advocate Commissioner submitted that, it was an error committed by the erstwhile Tahsildar who was in office and he is no more. However, the current Tahsildar who is presently serving in the 3rd respondent has filed written instructions stating that he had not renewed the said building license.

5. Heard the learned counsels on either sides and carefully perused the materials available on record.

6. Coming down heavily on the revenue authorities for doing such malpractices, this Court hereby direct the respondents specifically not to issue any



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building license in the survey No. **(*) 198/2 (P)** of Kannanoor Village, Thuraiyur Taluk, Trichy District, violating the procedure established by law.

7. Accordingly, this writ petition stands disposed of. There shall be no order as to costs.

Sd/-

31.07.2024

(*)Corrected as per the order of this Court dated 04/03/2025 made in WP(MD)No. 11023 of 2021

Sd/-

Assistant Registrar (CS III)

// True Copy //

/03/2025

Sub Assistant Registrar
(CS- I/ II / III / IV)

Sml
To

(*)To be substituted to the order already despatched on 21/11/2024

1.The Principal Commissioner &
Secretary,
Land and Revenue Administration,
Ezhilagam, Chepakkam,
Chennai.

2.The District Collector,
Office of District Collector,
Trichy,
Trichy District.

3.The Joint Director,

<https://www.mca.gov.in/judis>



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Rural Development and Panchayat
Department,
Trichy Collector Office,
Trichy.

4.The Assistant Collector,
Assistant Collector Office,
Musiri Taluk,
Trichy District.

5.The Tahsildar,
Thuraiyur,
Trichy District.

+1 CC to M/s.A.HAJA MOHIDEEN, Advocate (SR-39902[F] dated 01/08/2024)

+1 CC to M/s.SPL.GP (SR-40544[F] dated 02/08/2024)

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SL(16.10.2024)/ 6P/ 8C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17.07.2023.

KR/05.03.2025 6P/8C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023