



W.P(MD)No.13954 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.13954 of 2024

C.Kasirajan

... Petitioner

Vs.

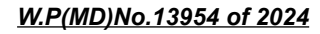
1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Revenue Divisional Officer,
Illuppur,
Pudukottai District.

3.The Tahsildar,
Kulathur Taluk,
Pudukottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents to issue patta in petitioner name in respect of Survey No.14/4 to an extent of 50 cents situated at Pudukulam Medu, Mathur village, Illupur taluk, Pudukottai district in the light of the order passed by the 2nd respondent in Na.Ka.No.284/2023/A1 dated 14.02.2023 and pass any further order or orders within the time stipulated by this Court.



For Respondents : Mr.D.Sasikumar,
Addl. Government Pleader.

Heard both sides.

2.The petitioner seeks issuance of patta in respect of S.No.14/4, Mathur Village. The petitioner has fairly enclosed the copy of the “A” register entry. It is seen therefrom that the aforesaid survey number has been classified as water body (Pudukulam). The learned Additional Government Pleader draws my attention to the order dated 07.03.2024 passed in WP(MD)Nos.31214 and 31221 of 2023 (R.Manibharathi vs. 1.Union of India) by the Hon'ble Division Bench. The Hon'ble Division Bench decision is clear and categorical. It states that patta should not be granted in respect of water bodies. Of course, in this case, the request that is made is only for consideration of the petitioner's request. As rightly pointed out by the learned Additional Government Pleader, if the authority has no jurisdiction to consider the request, the Writ Court will not be justified in issuing mechanical directions for consideration. The learned



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Additional Government Pleader has rightly drawn my attention. I refrain from issuing the direction sought for. The writ petition stands dismissed. No costs.

27.06.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

- 1.The District Collector,
Pudukottai District,
Pudukottai.
- 2.The Revenue Divisional Officer,
Illuppur, Pudukottai District.
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G.R.SWAMINATHAN, J.

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