



W.P(MD)No.16119 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16119 of 2024

Kathija

... Petitioner

Vs.

The District Revenue Officer,
O/o.The District Office,
Tirunelveli,
Tirunelveli District.

... Respondent

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to invoke under Section 143 of the Tamil Nadu Panchayats Act, 1994 to discontinue the construction work based on the petitioner's representation dated 06.06.2024 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.S.Vinodh

For Respondent : Mr.P.Thambi Durai
Government Advocate

ORDER

Heard the learned counsel appearing for the writ petitioner and the learned Government Advocate appearing for the respondent.



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2.It appears that the Special Tahsildar, SIDCO is putting up construction in the petition mentioned land. The petitioner wants the respondent to take action for discontinuance of the said construction work. It is seen that the petitioner had earlier filed W.P(MD)No.8761 of 2024 for issuance of joint patta. The said writ petition is disposed of by me on 08.04.2024 with the direction to the District Revenue Officer, Thirunelveli to consider the petitioner's request.

3.The learned Government Advocate appearing for the respondent submits that pursuant to the said direction, the petitioner's application was considered and an order was passed on 16.07.2024 rejecting the petitioner's request. According to the respondent, the land has been classified as “Government Poramboke” and that the petitioner's request for reclassification cannot be accepted.

4.In these circumstances, it is not possible for this Court to issue direction as sought for. Only if the petitioner's right is involved, Writ of Mandamus can be issued. The land has not be shown to be the petitioner's patta land. In these circumstances, I decline to issue the direction sought for.



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5.This writ petition stands dismissed. There shall be no order as to costs.

19.07.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
MGA

To

The District Revenue Officer,
O/o.The District Office,
Tirunelveli,
Tirunelveli District.



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G.R.SWAMINATHAN,J.

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