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W.P.(MD)NO.24760 OF 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.08.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.24760 of 2018

C.Sivaraman

... Petitioner

Vs.

1. The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai – 600 005.
2. The District Collector,
Sivagangai District,
Sivagangai.
3. The District Revenue Officer,
Sivagangai District.
4. The Sub Collector,
Revenue Divisional Office,
Devakottai, Sivagangai District.
5. The Tahsildar,
Karaikudi & Taluk,
Sivagangai District.
6. Ponmaniammal
7. Ramkumar
8. Muthukumar
9. Thirunavukkarasu
10. Veeramani



11. Jeyakumar
12. Valli Anitha
13. Ravi @ Kasiviswanathan
14. Aathmanathan
15. Francis
16. Thavamani
17. Karuppaiah
18. Subramanian

(R-6 to R-18 are impleaded vide order dated 02.01.2019
in W.M.P.(MD)No.23024 of 2018)

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to restore survey No.72 with an extent of 1.23.5 Hectare at Kalanivasal Village, Karaikudi Taluk, Sivagangai District to its original position as “Anaadheenam” as it is being used as water body on ground, cancelling the patta granted.

For Petitioner : Mr.N.Balakrishnan
For R-1 to R-5 : Mr.K.Balasubramani,
Special Government Pleader.
For R-6 to R-18 : No appearance.

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ORDER

In view of the dismissal of W.P.(MD)No.16790 of 2020 dated 27.02.2024, this writ petition has also to be dismissed. The prayer made in both the writ petitions are one and the same. The other writ petition



was dismissed by us in the following terms:-

“Heard both sides.

2.The petitioner filed this writ petition on the basis that Survey No.72, Kalanivachal Village is a water body and that pattas issued in respect of the said water body should be cancelled.

3.We issued notice. Status report has been filed by the Tahsildar, Karaikudi. It is seen there from that Survey No.72 was never classified or used as “water body”. The A-Register extract enclosed by the petitioner in the typed set of papers refers to Survey No.72 as “Anaadheenam”. We are of the view that interference is not warranted in this case.

4.This writ petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.”

2. According this writ petition is dismissed. No costs.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
08th August 2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
PMU



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W.P.(MD)NO.24760 OF 2018

G.R.SWAMINATHAN, J.

AND

B.PUGALENDHI, J.

PMU

To:

1. The Commissioner of Land Administration,
Ezhilagam, Chepauk, Chennai – 600 005.
2. The District Collector,
Sivagangai District, Sivagangai.
3. The District Revenue Officer, Sivagangai District.
4. The Sub Collector,
Revenue Divisional Office, Devakottai, Sivagangai District.
5. The Tahsildar,
Karaikudi & Taluk, Sivagangai District.

W.P.(MD)No.24760 of 2018

08.08.2024