



W.P.(MD)No.29483 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

and

THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE

W.P.(MD)No.29483 of 2024

and

W.M.P.(MD)Nos.24854 & 24857 of 2024

V.Salaikumar

: Petitioner

Vs.

1.The District Collector / Monitoring Committee,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Cheranmahadevi Taluk,
Tirunelveli District.

3.The Tahsildar,
Cheranmahadevi Taluk,
Cheranmahadevi,
Tirunelveli District.



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4.The Executive Officer,
Selection Grade Panchayat,
Mukkudal,
Tirunelveli District.

5.The District Registrar (Admin),
Cheranmahadevi,
Tirunelveli District.

6.The Sub-Registrar,
Cheranmahadevi,
Tirunelveli District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, to call for the impugned order under reference Na.Ka.No.A4/37152/2022 dated 14.11.2022 as passed by the first respondent in relation to the construction of Sub Registrar's office in Survey No.85/1 situated at Mukkudal Village, Cheranmahadevi Taluk, Tirunelveli District and quash the same as illegal, arbitrary and erroneous forthwith.

For Petitioner : Mr.S.Palanivelayutham

For Respondents : Mr.P.Thilk Kumar

Government Pleader



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ORDER

[Order of the Court was made by M.S.RAMESH, J.]

By consent of both sides, the writ petition itself is taken up for final disposal at the stage of admission itself.

2.This writ petition has been filed seeking to quash the impugned order under reference Na.Ka.No.A4/37152/2022 dated 14.11.2022, passed by the first respondent in relation to the construction of Sub Registrar's office in Survey No.85/1 situated at Mukkudal Village, Cheranmahadevi Taluk, Tirunelveli District.

3.Earlier, one of the villagers claiming that the official respondents herein are trying to encroach into the temple property in S.No.85/2, sought for stopping them from putting up construction in Survey No.85/1 in W.P.(MD)No.12327 of 2024 and the learned Single Judge by an order dated 13.06.2024, has recorded the submission of the learned Government Advocate that such an encroachment will not take place.



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4.The present prayer is also precisely one and the same, wherein the petitioner herein, in his representation to the respondents, claims that they have been enjoying the lands in Survey Nos.85/1 & 85/4, for temple activities for several years. An attempt has been made to stall the construction of Tahsildar office in these two survey numbers. When this issue has been dealt with already by a learned Single Judge, the present Writ Petition cannot be legally sustained. This apart, the petitioner may not have any legal right to claim that the respondents cannot put up a construction in S.Nos.85/1 & 85/4, which are classified as Natham lands. For all the foregoing reasons, there are no merits in this Writ Petition.

5.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[M.S.R.,J.] & [A.D.M.C.,J.]

06.12.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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M.S.RAMESH, J.
and
A.D.MARIA CLETE, J.

MR

ORDER MADE IN
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