



W.P(MD)No.30054 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.30054 of 2023

and

W.M.P.(MD)No.25391 of 2023

V.Kuttiraja

... Petitioner

Vs.

1.The District Collector,
Tenkasi District, Tenkasi.

2.The Revenue Divisional Officer,
Sankarankoil, Tenkasi District.

3.The Tahsildar,
O/o.Tahsildar,
Sivagiri,
Tenkasi District.

4.The Block Development Officer,
Town Panchayat Office,
Sivagiri, Tenkasi District.

5.The Executive Officer,
Sivagiri Town Panchayat,
Thenkasi.

... Respondents

*(R5 is suo motu impleaded vide order dated
18.12.2023 in W.P.(MD)No.30054 of 2023 by GRSJ).*

Prayer : Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the respondents not



W.P(MD)No.30054 of 2023

to make any changes or constructed building or alterations to petitioner's property bearing Survey No.627/1821 to an extent of 71 cents situated at Sivagiri Part-II Village, Sivagiri Taluk, Tenkasi District, based on his representation dated 01.11.2023.

For Petitioner : Mr.PR.Boomeerajan

For Respondents : Mr.G.V.Vairam Santhosh,
Addl. Government Pleader for R1 to R3.

ORDER

Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1 to 3.

2.The petitioner is asserting claim over the petition mentioned land. The petitioner is not having patta in his favour. The petitioner has enclosed copy of chitta standing in the name of Senthatti Kalaipandiyanar. The relationship between the petitioner and the said person is not known. Be that as it may, the fifth respondent would contend that the said Senthadi Kalaipandiyanar had sold 56 cents of land vide Document No.1617/1976 and gifted nine cents of land in favour of the local body. For the last 40 years, the land question is being used as a bus stand.



W.P(MD)No.30054 of 2023

3.In these circumstances, the petitioner has to necessarily establish his claim only before the jurisdictional Civil Court, if at all. No relief can be granted in writ proceedings and the writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

10.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

- 1.The District Collector,
Tenkasi District, Tenkasi.
- 2.The Revenue Divisional Officer,
Sankarankoil, Tenkasi District.
- 3.The Tahsildar,
O/o.Tahsildar,
Sivagiri,
Tenkasi District.



WEB COPY



W.P(MD)No.30054 of 2023

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.30054 of 2023

10.07.2024