



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.10.2025

CORAM

THE HON'BLE MR. JUSTICE M.DHANDAPANI

W.P.NO.22597 of 2023

and WMP.No.22028 & 22029 of 2023

P.Prakash

... Petitioner

Vs.

1. The District Collector,
Dharmapuri District,
Dharmapuri.

2. The Revenue Divisional Officer,
Dharmapuri.

3. The Zonal Deputy Tahsildar,
Office of Tahsildar,
Palacode, Dharmapuri District.

4. Thimman

5. Krishnan

6. Devika Rani

..... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the auction notice dated 28.04.2023 issued by the 3rd respondent to cut and removal of tamarind tree situate in Grama Natham land comprised in S.No.576/86, Pikkanahalli Village, Vellichandai Sub Revenue Circle, Palacode Taluk, Dharmapuri District and to quash the same and consequently, forbearing the respondents from bring the auction for cut and removal of the Tamarind tree in any other subsequent date.



For Petitioners : Mr. C.Prabakaran
For Respondents : Mr.T.M.Rajangam, GA

ORDER

The writ petitioner seeks to quash the auction notice dated 28.04.2023 issued by the 3rd respondent to cut and removal of tamarind tree situate in Grama Natham land comprised in S.No.576/86, Pikkanahalli Village, Vellichandai Sub Revenue Circle, Palacode Taluk, Dharmapuri District and consequently, forbearing the respondents from bring the auction for cut and removal of the Tamarind tree in any other subsequent date.

2. It is the case of the petitioner that the property comprised in S.No.576/86 situated at Pikkanahalli Village, Mallupatti, Vellichandai, Palacode Taluk, Dharmapuri District is classified as Natham land and the petitioners family pays the penalty charges to the Panchayat for the said Natham land. The private respondents herein have encroached the entire land covered under the tree. The petitioner made representation to the respondents seeking to prevent the private respondents from causing hindrance in collecting the benefits arising out of the tamarind tree. While so, the 3rd respondent had issued auction notice for cutting of tamarind tree schedule to be held on 02.05.2023 wherein the petitioner have made representation on 22.05.2022 and 26.05.2023 and the same has not been considered. Hence, the petitioner has



filed the present writ petition challenging the auction notice date 28.04.2023 issued by the third respondent.

3. The learned counsel for the petitioner submitted that admittedly the petitioner is paying 2C patta in the name of his grand-father, till date and no notice was issued to the petitioner for auctioning the tamarind tree. Therefore, the impugned auction notice is violates the principles of natural justice.

4. Heard the learned counsel on either side and perused the materials available on record.

5. It is seen that there is no 2C patta paid in favour of the petitioner and he has not produced any title to prove that the petitioner is the owner of the land. In the absence of any material, the petitioner filed the present writ petition is unsustainable and the prayer sought by the petitioner cannot be granted.

6. In the result, this writ petition is dismissed. No order as to costs. Consequently, connected miscellaneous petitions are closed.

16.10.2025

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WEB COPY



M. DHANDAPANI .J.

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To

1. The District Collector,
Dharmapuri District,
Dharmapuri.
2. The Revenue Divisional Officer,
Dharmapuri.
3. The Zonal Deputy Tahsildar,
Office of Tahsildar,
Palacode, Dharmapuri District.

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