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W.P.(MD)NO.2398 OF 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.01.2025

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HON'BLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.2398 of 2025 AND

W.M.P.(MD)No.1691 of 2025

Naadimuthu

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue and Disaster Management Department,
Secretariat, Chennai – 600 009.
2. The District Collector,
Thanjavur District,
Thanjavur.
3. The Tahsildar,
Pattukottai Taluk,
Thanjavur District.
4. The Assistant Engineer-WRD,
Department of Water Sources,
City Division No.2,
Pattukottai,
Thanjavur District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records in pursuant to the impugned notice issued in Form-III dated 20.01.2025 by the fourth respondent and quash the same as illegal.



For Petitioner : Mr.B. Anandan
For Respondents : Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard both sides.

2. It is not in dispute that the impugned Form-III notice pertains only to water body. The petitioner cannot have any claim thereon. The petitioner appears to have put up a house in a portion of the water body. The learned counsel appearing for the petitioner states that the petitioner's mother was granted 2C patta for growing coconut trees. In the very nature of things, 2C patta is applicable to the patta holder on usufruct. The petitioner cannot claim any right on the land on the strength of 2C patta. Since the facts are beyond dispute, we are not in a position to grant any relief. The impugned Form-III notice is sustained. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(G.R.SWAMINATHAN, J.) & (B.PUGALENDHI, J.)
29th January 2025

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



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To:

1. The Secretary to Government,
Revenue and Disaster Management Department,
Secretariat, Chennai – 600 009.
2. The District Collector,
Thanjavur District,
Thanjavur.
3. The Tahsildar,
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