



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.02.2025

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THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

and

THE HON'BLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.4444 of 2025

and

WMP(MD)No.3192 of 2025

K.Pitchai

... Petitioner

Vs.

- 1.The District Collector /
The Monitoring Committee,
Dindigul District, Dindigul.
- 2.The Revenue Divisional Officer,
O/o.the Revenue Divisional Officer,
Dindigul, Dindigul.
- 3.The Tahsildar, Dindigul East Taluk,
Dindigul District.
- 4.The Block Development Officer,
Sanarpatti Panchayat Union,
Dindigul District.
- 5.K.Karanthamalai
- 6.K.Kumarasamy
- 7.K.Arumugam
- 8.K.Chellapandi

... Respondents



Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Declaration to declare the patta granted in favour of the Respondents 5 to 8 to an extent of 4.35 acres as illegal and consequently directing the respondents no.1 to 4 to restore Bommankulam Kanmoi in S.No.129, Marunoothu Village, Dindigul East, Dindigul District to its Original Position and preserve the same within the time frame fixed by this Court and pass such other or further orders as this Court may deem fit and proper in the circumstances of this case and thus render justice.

For Petitioner : Mr.M.Mahaboob Fazil
for M/s.Roy and Roy Associates

For Respondents : Mr.K.Balasubramani,
Special Government Pleader for R1 to R4

ORDER

Heard the learned counsel for the petitioner and the learned Special Government appearing for the official respondents. Considering the relief to be granted, issuance of notice to the private respondents is dispensed with.

2.The petitioner questions the issuance of patta in favour of the private respondents. According to him, the petition mentioned survey number was originally classified as Bommankulam Kanmoi, a water body. The learned Special Government Pleader would strongly dispute



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the said assertion. He points out that even before UDR, the patta in respect of the petition mentioned survey number stood in the name of private persons. When it appears from the record that for more than fifty years, the said land has been standing in the name of private persons, it may not be open to us to interfere at this point of time. This writ petition stands dismissed accordingly. No costs. Connected miscellaneous petition is closed.

[G.R.S., J.] & [B.P., J.]
20.02.2025

NCC : Yes / No
Internet : Yes / No
Index : Yes / No
Skm

To

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O/o.the Revenue Divisional Officer, Dindigul, Dindigul.
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G.R.SWAMINATHAN, J

and

B.PUGALENDHI, J.

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