



W.P.(MD)No.5080 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 25.02.2025

CORAM:

**THE HON'BLE MRS JUSTICE J. NISHA BANU
AND
THE HON'BLE MRS JUSTICE S.SRIMATHY**

W.P.(MD)No.5080 of 2025

K.Ganesan

...Petitioner

-Vs-

- 1.The Tamil Nadu Land Administrative Commissioner,
Cheppakkam, Chennai.
- 2.The District Collector,
Tirunelveli District.
- 3.The Divisional Revenue Officer,
Seranmadevi, Tirunelveli District.
- 4.The Tahsildar,
Thisaiyanvilai Taluk,
Tirunelveli District.
- 5.The Village Administrative Officer,
Urumankulam Village,
Thisaiyanvilai Taluk,
Tirunelveli District.
- 6.The District Registrar,
Palayamkottai Registration Office,
Tirunelveli District.
- 7.The Sub Registrar,
Thisaiyanvilai Sub Registrar Office,
Tirunelveli District.



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8.M/s.Chinnamalar Plantation Private Ltd.,
Represented by its Managing Director,
John Puthenveetil Joseph, S/o.Joseph Kurian,
Vellappattil House,
N.H.47, Thumpolly,
Alappuzha, Kanjiramchira,
Kerala State-688 007.

...Respondents

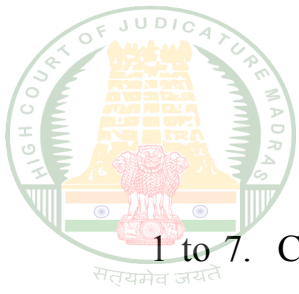
PRAYER:Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the 1st respondent to declare the properties comprised in S.F.Nos. 730/1, 728/2, 730/2, 731, 736/1, 736/2, 736/3, 738/1, 739/1A, 739/1B, 739/1C, 773/2A, 773/2B, 774/1A, 774/1B, 774/1C, 774/3A, 774/3B, 775/2, 775/3, 776/1, 776/2A, 776/2B, 777, 778/2A, 778/2B, 779/2A, 779/2B, 781/2A and 782/2B classified as Punjai, total extent of 303 Acres, situated in Urumangalam Village, Thisaiyanvilai Taluk, Tirunelveli District, holding by the 8th respondent is surplus land or to declare the same as Government properties under Sec.20(1) of Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961.

For Petitioner	: Ms.A.Muthu Sumina
For R1 to R7	: Mr.P.Thilak Kumar
	Government Pleader

ORDER

(Order of the Court was made by **J.NISHA BANU, J.**)

Heard Ms.A.Muthu Sumina, learned counsel appearing for the petitioner, Mr.P.Thilak Kumar, learned Government Pleader for respondents



W.P.(MD)No.5080 of 2025

1 to 7. Considering the fact that no adverse order is going to be passed in this writ petition, notice to the eighth respondent is dispensed with.

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

3.Alleging that the eighth respondent, who purchased vast extent of agricultural punja lands, is taking steps to convert the same as residential plots unlawfully, the petitioner has filed this public interest litigation for a mandamus to declare the properties comprised in S.F.Nos. 730/1, 728/2, 730/2, 731, 736/1, 736/2, 736/3, 738/1, 739/1A, 739/1B, 739/1C, 773/2A, 773/2B, 774/1A, 774/1B, 774/1C, 774/3A, 774/3B, 775/2, 775/3, 776/1, 776/2A, 776/2B, 777, 778/2A, 778/2B, 779/2A, 779/2B, 781/2A and 782/2B situated in Urumangalam Village, Thisaiyanvilai Taluk, Tirunelveli District, owned by the eighth respondent as surplus and Government properties under Section 20(1) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961.

4.On a bare reading of the affidavit filed in support of this petition, we *prima facie* find that no public interest is involved in this writ petition and it is purely based on interest. The eighth respondent in this writ petition had

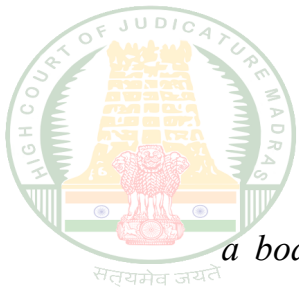


W.P.(MD)No.5080 of 2025

purchased the subject properties in the year 1985 and patta for the said properties also stands in his name. Now he is alleged to have made an application to the Directorate of Town and Country Planning to convert the same as house plots. Merely because the eighth respondent is going to convert the vast extent of agricultural lands into house plots, it cannot be said that he is going to convert the agricultural lands unlawfully, since he is stated to be the owner of the properties. Thus it seems to be a private interest and the jurisdiction of his Court cannot be exercised through the Public Interest Litigation.

5.The scope of Public Interest Litigation and how to deal with public Interest writ petitions are clearly explained by the Hon'ble Supreme Court in the case of ***B.Singh (Dr.) v. Union of India***, reported in ***(2004) 3 SCC 363***, wherein, it has been held as under:

“.....Public interest litigation is a weapon which has to be used with great care and circumspection and the judiciary has to be extremely careful to see that behind the beautiful veil of public interest an ugly private malice, vested interest and/or publicity seeking is not lurking. It is to be used as an effective weapon in the armory of law for delivering social justice to the citizens. The attractive brand name of public interest litigation should not be allowed to be used for suspicious products of mischief. It should be aimed at redressal of genuine public wrong or public injury and not publicity oriented or founded on personal vendetta. As indicated above, Court must be careful to see that



W.P.(MD)No.5080 of 2025

a body of persons or member of public, who approaches the court is acting bona fide and not for personal gain or private motive or political motivation or other oblique consideration. The Court must not allow its process to be abused for oblique considerations by masked phantoms who monitor at times from behind. Some persons with vested interest indulge in the pastime of meddling with judicial process either by force of habit or from improper motives and try to bargain for a good deal as well to enrich themselves. Often they are actuated by a desire to win notoriety or cheap popularity. The petitions of such busy bodies deserve to be thrown out by rejection at the threshold, and in appropriate cases with exemplary costs.”

6.In view of the above, we are not inclined to entertain this Writ Petition. Accordingly, this Writ Petition stands dismissed. No costs.

(J.N.B.,J.) (S.S.Y.,J.)
25.02.2025

Index : Yes/No
Internet : Yes/No
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