



W.P.(MD)No.10698 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN

W.P.(MD)No.10698 of 2023

and

W.M.P(MD) No.9428 of 2023

N.Seenithai @ Chitra

... Petitioner

-Vs-

- 1.The District Collector,
District Collector Office,
Tirunelveli District.
- 2.The Revenue Divisional Officer,
Nanguneri,
Tirunelveli District.
- 3.The Sub Collector,
Cheranmahadevi,
Tirunelveli District.
- 4.The Tahsildar,
Nanguneri,
Tirunelveli District.
- 5.The Executive Officer,
Nanguneri Town Panchayat,



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Nanguneri,
Tirunelveli District.

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6.P.Murugan

7.M.Palavesam @ Bala

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 5 herein to remove the encroachment made in Government Poramboke land in Old Survey No. 20/2A4A2A1A, Now New Survey No.1338/18, 1338/19, 1338/20, 1338/21 and 1338/22 to an extent of 8.646 cents by putting up building construction to an extent of 1200 sq.ft approximately at Nanguneri Village and Taluk, Tirunelveli District by the respondents 6 and 7 by considering the petitioner's representation dated 28.11.2022.

For Petitioner : Mr.S.Vashik Ali

For R1 to R5 : Mr.J.Ashok
Additional Government Pleader

For R6 and R7 : Mr.A.Azhagesan
for Mr.K.R.Laxman



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ORDER

(Order of the Court was made by ***S.M.SUBRAMANIAM, J.***)

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This writ petition has been instituted to direct the respondents to remove the encroachment made in Government poramboke land in Old Survey No. 20/2A4A2A1A, New Survey Nos.1338/18, 1338/19, 1338/20, 1338/21 and 1338/22, to an extent of 8.646 cents, by putting up building construction to an extent of 1200 sq.ft approximately, at Nanguneri Village and Taluk, Tirunelveli District by the respondents 6 and 7, by considering the petitioner's representation dated 28.11.2022.

2.The petitioner would submit that by encroaching the Government poramboke land a pucca residential house has been constructed by the respondents 6 and 7 and therefore, they are liable to be evicted from the premises.

3.The learned Additional Government Pleader appearing for the respondents 1 to 5 would submit that the respondents 6 and 7 have claimed that the land is classified as 'Grama Natham' and therefore, they have submitted an application for grant of patta by changing the classification of the land. Classification of the land cannot be undertaken by these Subordinate Authorities. Regarding reclassification

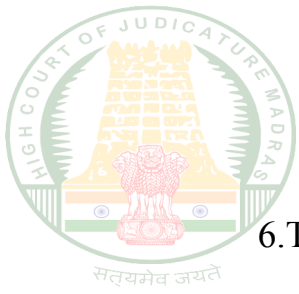


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of land, the matter has to go before the Commissioner of Land Administration and the Government. Even Grama Natham land cannot be assigned in violation of Revenue Standing Order 21 and a person seeking patta/assignment of Grama Natham Land has to establish that he is landless poor and the Government has to take a decision to assign the land for the landless poor people for construction of dwelling houses.

4.The learned counsel for the petitioner would submit that the respondents 6 and 7 have constructed a pucca concrete building with car parking and therefore, they cannot be construed as a landless poor persons. It is further contended that the official respondents are colluding with the respondents 6 and 7 and making an attempt to illegally convert the Government poramboke land as Natham for the purpose of grant of assignment.

5.Any such effort made illegally must be dealt with by the District Collector and the petitioner is also at liberty to give a complaint before the District Collector and Commissioner of Land Administration, in the event of any irregularity or illegality in the matter of conversion of land or assignment of land to ineligible persons.



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6.The learned Additional Government Pleader would submit that an enquiry is scheduled by the District Revenue Officer, Tirunelveli, on 08.09.2025.

7.The District Revenue Officer, Tirunelveli, is directed to conduct an inquiry strictly in accordance with law and take a decision on merits. The petitioner is also to be heard by the District Revenue Officer. If the District Revenue Officer formed a final opinion that it is a Government poramboke land and the respondents 6 and 7 are ineligible for assignment of patta under RSO 21, then they are liable to be evicted by following the procedures as contemplated and unauthorized constructions are also to be demolished.

8.With the above direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) & (G.A.M., J.)
25.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
cp



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