

W.P(MD)No.15856 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

DATED : 08.07.2025

CORAM:

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD)No. 15856 of 2025

A.Palaniyandi

... Petitioner

Vs

1. The District Collector,
Collectorate, Madurai - 20.
2. The Block Development Officer,
Vadipatti Panchayat Union,
Madurai District.
3. The Tahsildar,
Vadipatti Taluk,
Madurai.
4. The Revenue Inspector,
Muduvarpatti Firka,
Vadipatti Taluk,
Madurai District
5. The Village Administrative Officer,
66, Kodagipatti Group,
Vadipatti Taluk,
Madurai District.
6. The Panchayat President,
Paraipatti, Vadipatti Taluk,
Madurai District.



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7. The Village Secretary, Paraipatti,
Vadipatti Taluk, Madurai District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a *Writ of Mandamus*, to direct the respondents to forbear from cutting down the 11 Tamarind Trees situated in S.No.105 of Paraipatti Village, Vadipatti Taluk, Madurai District and consequently direct the respondents to receive annual taxes for the 2C patta on the basis of the petitioner's representation dated 03.04.2025.

For Petitioner : M/s.S.Shanmugam

For Respondents : Mr.M.Lingadurai,
Special Government Pleader, for R-1, R-3 to R-5
Mr.Amjad Khan, Government Advocate, for R-2

ORDER

The present Writ Petition has been filed for the issuance of a *Writ of Mandamus*, forbearing the respondents from cutting down the 11 Tamarind Trees situated in S.No.105 of Paraipatti Village, Vadipatti Taluk, Madurai District and consequently direct the respondents to receive annual taxes for the 2C patta on the basis of the petitioner's representation dated 03.04.2025.

2. On instructions, it is submitted on behalf of the respondents that the 2C patta was granted but was subsequently cancelled as early as 12.02.2020, as per the proceedings of the Revenue Divisional Officer, Madurai. Therefore, the relief sought by the petitioner in the writ petition cannot be granted.

3. On perusal of the records, it is seen that in S.No.105, Poosarikulam, the petitioner possesses only **(*)tamarind** trees and not **(*)mango** trees. Therefore, the



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respondents are restrained from cutting **(*)tamarind** trees, if any, from the said land.

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As far as the 2C patta is concerned, the petitioner is at liberty to challenge the proceedings. With regard to the tamarind trees, the respondents are directed to consider the petitioner's claim and take appropriate steps for granting a 2C patta. It is seen from the records that the respondents have cancelled the 2C patta based on several orders passed by this Court, wherein it has been held that if the land forms part of a water body, there can be no encroachment. Therefore, the respondents cannot grant any lease in respect of land classified as a water body.

4. With the above directions, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

08.07.2025

(*)Amended as per order of this Court dated 01/08/2025

Sd/-

Assistant Registrar (CS II)

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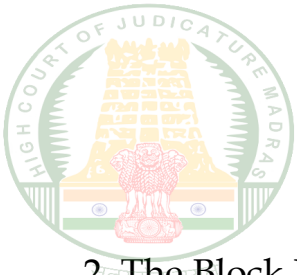
/08/2025

Sub Assistant Registrar
(CS- I/ II / III / IV)

KSA

To:-

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Collectorate, Madurai - 20.



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7. The Village Secretary,
Paraipatti,
Vadipatti Taluk, Madurai District.

+1 CC to M/s.S.SHANMUGAM, Advocate (SR-42050[F] dated 10/07/2025)

+1 CC to M/s.SPL GP (SR-41916[F] dated 10/07/2025)

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DATED : 08.07.2025

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