



W.A.(MD)No.1155 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.03.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

W.A(MD)No.1155 of 2022

and

C.M.P(MD)No.9064 of 2022

V.Ganesan

... Appellant /
Petitioner

Vs.

1.The Additional Chief Secretary and
Commissioner of Land Administration,
Chepauk,
Chennai – 600 005.

2.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

3.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.

4.The District Educational Officer,
Ramanathapuram District,
Ramanathapuram.

5.R.S.Padma

... Respondents /
Respondents



W.A.(MD)No.1155 of 2022

Prayer: Writ Appeal filed under Clause 15 of Letters Patent to set aside the order made in W.P(MD)No.5791 of 2016 dated 05.08.2022 and to allow the above writ appeal by way of granting the relief sought for in the writ petition.

For Appellant : Mr.A.D.Ganeshamoorthi

For Respondents : Ms.P.B.Ahamed Yasmin Parvin
Government Advocate
for R.1 to R.4

JUDGMENT

(Judgment of the Court was made by G.R.Swaminathan J.)

Heard both sides.

2.The appellant sought patta in respect of Survey Nos.588/4 and 588/6 measuring an extent of 45 cents and 18 cents respectively situated at Thangachimadam Village. The petitioner's request was rejected by the first respondent vide proceedings dated 30.11.2015. Challenging the same, the appellant filed W.P(MD)No.5791 of 2016. The writ petition was dismissed vide order dated 05.08.2022. Challenging the same, this Writ Appeal has been filed.



W.A.(MD)No.1155 of 2022

WEB COPY 3.The learned counsel appearing for the appellant reiterated all the contentions set out in the memorandum of grounds of Writ Appeal. He pointed out that the appellant is a bona fide purchaser through a registered document and that therefore the impugned orders deserve to be set aside.

4.We are not persuaded by the submissions made by the learned counsel for the appellant. As rightly pointed out by the learned Government Advocate, Survey No.588/4 has been classified as “Oorani (water body)” during UDR. Even prior to UDR, it did not stand in the name of any individual. It is well settled that patta cannot be issued in respect of a water body. As far as Survey No.588/6 is concerned, the appellant's vendor had already donated the property to the Educational Department on 17.03.1965 through a registered document (Document No.56/1965). That is why the learned Judge rightly held that when the appellant's vendor sold the property on 23.11.1992, she had no title whatsoever. The learned single Judge had correctly approached the issue and interference with the said order is not warranted.



W.A.(MD)No.1155 of 2022

5.This Writ Appeal stands dismissed. No costs. Consequently,

connected miscellaneous petition is closed.

[G.R.S., J.] [M.J.R., J.]
07.03.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
MGA

To

- 1.The Additional Chief Secretary and
Commissioner of Land Administration,
Chepauk,
Chennai – 600 005.
- 2.The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.
- 3.The Tahsildar,
Ramanathapuram Taluk,
Ramanathapuram District.
- 4.The District Educational Officer,
Ramanathapuram District,
Ramanathapuram.



WEB COPY



W.A.(MD)No.1155 of 2022

G.R.SWAMINATHAN,J.

AND

M.JOTHIRAMAN, J.

MGA

W.A(MD)No.1155 of 2022

07.03.2025