



W.P(MD)No.2958 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2026

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

AND

THE HONOURABLE MS.JUSTICE R.POORNIMA

W.P(MD)No.2958 of 2022

and

W.M.P(MD)Nos.2594 & 2595 of 2022

S.P.Arumugam

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Thoothukudi District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Thoothukudi,
Thoothukudi District.

3.The Tahsildar,
Thoothukudi Taluk Office,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorari, to call for the records pertaining to the Impugned Order in Na.Ka.No.D4/1703/2022 dated 08.02.2022 on the file of the first respondent and quash the same as illegal.



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For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.S.Vinodh
Government Advocate

ORDER

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

Heard both sides.

2.The case on hand pertains to Survey No.163/4 in Mapillaiyurani Village. The petitioner has been in occupation of the same for quite some time. He filed W.P(MD)No.4929 of 2010 for directing the authorities to grant him patta. Vide order dated 13.04.2010, the Tahsildar was directed to conduct enquiry and submit a report to the District Collector, Tuticorin. The District Collector was called upon to take a call on the petitioner's request. The petitioner's grievance is that, instead of considering his request for issuance of patta, the District Collector Tuticorin, by the impugned order dated 08.02.2022, has directed his removal from the land in question.

3.Admittedly, the said land has been classified as "assessed waste dry". It is obviously a Government land. The Government intended to use the said land for accommodating persons affected by Tsunami, and for that purpose, it was already reclassified as "Natham". The petitioner



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does not have any legal right as such. It is true that, in order to evict the petitioner, the authorities have to follow the procedure set out in the Tamil Nadu Land Encroachment Act, 1905. In fact, such a direction has already been issued by the District Collector to the jurisdictional Tahsildar. It is also true that the District Collector, being an appellate authority, has virtually foreclosed the issue against the writ petitioner. However, this situation is of the writ petitioner's own making. In these circumstances, we are unable to exercise our discretion in favour of the writ petitioner. The District Collector, Tuticorin, may however consider the writ petitioner's request for allotment of a house site in the said survey number, provided he fulfils the eligibility norms.

4.This Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [R.P, J.]
06.04.2026

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



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To

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G.R.SWAMINATHAN, J.

AND

R.POORNIMA, J.

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