

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.01.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.1016 of 2015 and
M.P.No.1 of 2015

A.Muthusamy

...Petitioner

Versus

1.The District Collector
Perambalur District.

2.The Tahsildar,
Kunnam Taluk,
Perambalur District.

...Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus, directing the respondents neither to cancel the assignment dated 12.9.2001 bearing No.61/411 issued by the 2nd respondent not to cancel the patta bearing No.1936 in respect of land measuring to an extent of 7 1/2 cents comprised in Survey No.7/19 situated at Olaipadi Village Kunnam Taluk, Perambalur District without following due process of law.

For Petitioner : Mr.R.Ragavendran

For Respondents : Mr.S.Gunasekaran
Government Advocate

O R D E R

The petitioner seeks for a direction to the respondents not to cancel the assignment dated 12.9.2001 bearing No.61/411 issued by the 2nd respondent and the patta bearing No.1936 in respect of land measuring to an extent of 7 1/2 cents comprised in Survey No.7/19 situated at Olaipadi Village Kunnam Taluk, Perambalur District without following due process of law.

2. In my view, the prayer sought for by the petitioner is thoroughly misconceived. If an order of assignment has been granted to the petitioner and if he has complied with all the conditions, then he need not fear that the respondents will cancel the assignment.

3. The petitioner would state that a suit is also pending with regard to the said property in O.S.No.221 of 2006 on the file of the District Munsif Court, Perambalur. Based on the apprehension, the petitioner has now come up with this writ petition.

4. In the light of the above, the relief sought for by the petitioner cannot be granted. The writ petition stands dismissed. It is needless to state that if any proceedings are initiated by the respondents for cancellation of the assignment, it goes without saying that it shall be done only after issuing notice to the petitioner and following principles of natural justice. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

To

1.The District Collector,
Perambalur District.

2.The Tahsildar,
Kunnam Taluk,
Perambalur District.

1 cc to Government Pleader, Sr. 2502

1 cc to Mr.R. Murali, SR. 2413

W.P.No.1016 of 2015

RV (CO)
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