

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.08.2016

CORAM

THE HON'BLE MR.JUSTICE M.JAICHANDREN

W.P.No.28946 of 2014

P.Ponnamal

.. Petitioner

Vs.

1.The State of Tamil Nadu,
rep by the District Collector,
Collectors' Office,
Cuddalore-607 001.

2.The Revenue Divisional Officer,
Vridhachalam-606 001.
Cuddalore District.

3.The Tahsildar,
Vridhachalam-606 001
Cuddalore District.

.. Respondents

The writ petition has been filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the third respondent, for a careful examination of the representation of the petitioner, dated 7.6.2014, and the various evidences including the village elders and Village Administrative Officer and include the name of the cultivating tenant in the revenue register, as per the Tamil Nadu Agricultural Lands Record of Tenancy Rights Act (X of 1969) and issue copies of adangal every year for the 1.59 acres (53 ares), in S.F.No.105/4A, 181/2 and 263/11A of Karmangudi village, Vridhachalam Taluk, Cuddalore District.

For Petitioner : Mr.K.S.Purushothaman
For Respondents : Mr.K.Dhananjayan, Spl.G.P.

ORDER

Heard the learned counsel appearing on behalf of the petitioner, as well as the learned counsel appearing on behalf of the respondents.

2 This writ petition has been filed by the petitioner, praying that this Court may be pleased to issue a Writ of Mandamus, directing the third respondent to consider and dispose of the representation of the petitioner, dated 7.6.2014, and include her name, as a cultivating tenant, in the revenue register, as per the Tamil Nadu Agricultural Lands Record of Tenancy Rights Act, 1969 and for other consequential orders.

3 At this stage of the hearing of the writ petition, the learned counsel appearing on behalf of the respondents had submitted that the petitioner ought to have moved the appropriate authority for the recording of the tenancy of the petitioner, under the relevant provisions of the Tamil Nadu Agricultural Lands Record of Tenancy Rights Act, 1969. Therefore, the relief, prayed for by the petitioner, in the present writ petition, cannot be granted, by this Court, by way of issuing a Writ of Mandamus.

4 In view of the submissions made by the learned counsel appearing on behalf of the respondents and in view of the fact that there is a specific provision prescribed, under the Tamil Nadu Agricultural Lands Record of Tenancy Rights Act, 1969, for making an application for the recording of tenancy, as prayed for by the petitioner, this Court is of the view that no direction, as prayed for by the petitioner, in the present writ petition, can be issued. In such circumstances, this Court finds it appropriate to dismiss the writ petition. Hence, this writ petition stands dismissed. No costs. However, it goes without saying that it may be open to the petitioner to seek the appropriate relief, if any, before the appropriate authority, under the provisions of the Tamil Nadu Agricultural Lands Record of Tenancy Rights Act, 1969.

vvk

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1.The District Collector, Collectors' Office, Cuddalore-607 001.

2.The Revenue Divisional Officer, Vridhachalam-606 001.
Cuddalore District.

3.The Tahsildar, Vridhachalam-606 001,Cuddalore District.

+ 1 cc to Mr.K.S.Purushothaman, Advocate SR 46756

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