

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.03.2017

CORAM

THE HON'BLE MR.HULUVADI G.RAMESH, ACTING CHIEF JUSTICE
AND
THE HON'BLE MR. JUSTICE RMT. TEEKAA RAMAN

W.P.No.6642 of 2017

R.Venu Naidu

.. Petitioner

Vs.

1 The District Collector
Collectorate, Villupuram District.

2 The District Revenue Officer
Villupuram, Villupuram District.

3 The Tahsildar
Villupuram, Villupuram District.

4 The Revenue Inspector
Villupuram, Pirka
Villupuram District
Villupuram.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India for issuance of a writ of Certiorarified Mandamus calling for the records relating to the Notice in Na.Ka.A2/14809/2017, dated 03.02.2017 and notice under Section 6 of Tamilnadu Act 3 of 1905, dated 19.02.2017 passed by the 4th respondent and quash the same as illegal and direct the respondents to grant patta to the petitioner for the agricultural land comprised in S.No.334/6B situated at Kandampakkam Village, Villupuram District considering the petitioner's representation dated 10.01.2017.

For Petitioner

: Mr.K.Sasindran

For Respondents

: Mr.T.N.Rajagopalan
Spl. Government Pleader

ORDER

(Order of the Court was made by the Acting Chief Justice)

Mr.T.N.Rajagopalan, learned Special Government Pleader takes notice for respondents 1 to 4.

2. The petitioner has filed this writ petition seeking issuance of a writ of Certiorari Mandamus calling for the records relating to the Notice in Na.Ka.A2/14809/2017, dated 03.02.2017 and notice under Section 6 of Tamilnadu Act 3 of 1905, dated 19.02.2017 passed by the 4th respondent and quash the same as illegal and direct the respondents to grant patta to the petitioner for the agricultural land comprised in S.No.334/6B situated at Kandampakkam Village, Villupuram District considering the petitioner's representation dated 10.01.2017.

3. It is the case of the petitioner that he had purchased the land and is in possession and enjoyment of the same. When the revenue officials interfered with his enjoyment, he filed a suit and the same was dismissed. In the appeal filed, the petitioner was directed to approach the revenue officials for grant of patta. Thereafter, the petitioner applied for grant of patta on 10.1.2017. However, the respondent authorities issued notice under Section 7 of the said Act and also issued order under Section 6 of the said Act. Assailing the same, the present writ petition is filed on the ground that the said order was passed without complying the principles of natural justice.

4. On hearing the learned counsel for the petitioner, we observe that it is for the petitioner to approach the first respondent/District Collector against the said order by way of appeal under Section 10 of the said Act within fifteen days and thereafter, it is for the first respondent to consider the same and pass appropriate orders in accordance with law, of course in compliance of the principles of natural justice. All the contentions raised in this writ petition are left open to be urged before the appellate authority. No coercive action shall be taken by the respondent authorities pending disposal of the appeal.

The writ petition is disposed of accordingly. No costs. Consequently, W.M.P.Nos.7141 and 7142 of 2017 are closed.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

sasi

To:

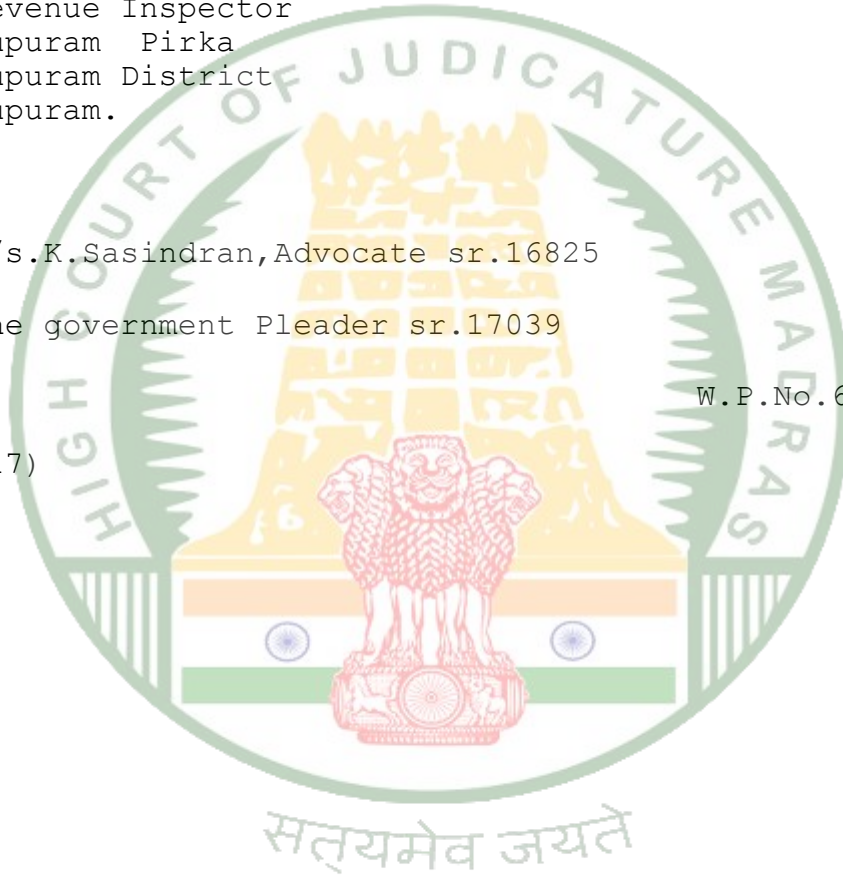
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Villupuram.

+1cc to M/s.K.Sasindran,Advocate sr.16825

+1cc to the government Pleader sr.17039

W.P.No.6642 of 2017

gm1 (co)
ss (3/4/2017)



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