

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.26260 of 2017
and
WMP.Nos.27927 & 27928 of 2017

B.Saroja

...Petitioner

Vs.

1.The Collector of Salem
Salem.

2.The District Revenue Officer
Salem.

3.The Revenue Divisional Officer
Salem.

4.The Tahsildar
Gengavelli Taluk
Salem District.

5.The Joint Director of Agriculture
Salem District.

...Respondents

PRAYER:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus, calling for the records of the 3rd respondent, the Revenue Divisional Officer, Salem, made in his proceedings in Na.Ka.11394/82-B6 dated 16.07.1982 and quash the same and further direct the respondents 1 to 3 to restore the land already assigned in favour of the petitioner father to the legal heirs of the petitioner deceased father.

For Petitioner : M/s.K.N.Nalinishree
For Respondents : Mr.P.Senthilvel
Government Advocate

O R D E R

Mr.P.Senthilvel, learned Government Advocate takes notice for the respondents. By consent of the parties, the main writ petition itself is taken up for final disposal at the admission stage itself.

2. Heard the learned counsel for the petitioner.

3. The petitioner seeks to challenge the order of the third respondent dated 16.07.1982 cancelling the assignment made in favour of the petitioner's father in respect of the subject matter land. According to the petitioner, she is not aware of the cancellation order. But admittedly, her father who got assignment in his favour was alive till 1996 and has not taken any steps to challenge the order of cancellation made in the year 1982. Now, after 35 years, the petitioner seeks to challenge the said cancellation order, which in my considered view, cannot be entertained solely on the ground of laches, even assuming that the petitioner is making out a case on merits. Therefore, this writ petition is dismissed as not maintainable, on the ground of laches. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

सत्यमेव जयते

Sub Assistant Registrar

vsi

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To

1.The Collector of Salem
Salem.

2.The District Revenue Officer
Salem.

3.The Revenue Divisional Officer
Salem.

4.The Tahsildar
Gengavelli Taluk
Salem District.

5.The Joint Director of Agriculture
Salem District.

+1cc to M/s.K.N.Nalinishree, Advocate, S.R.No. 72713

+1cc to the Government Pleader, S.R.No. 72627

W.P.No.26260 of 2017

RJ (CO)
PSI 28/10/2017



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