

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.10.2017

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.26819 of 2017

P.George Giri

... Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep. by its Secretary to Govt.
Revenue Department, Fort St.George,
Chennai, TN-600 009.
- 2.The State of Tamil Nadu
Rep. by its Secretary to Govt.
Forest Department
Fort St.George, Chennai, TN-600 009.
- 3.The District Collector
Nilgiris District
Collectorate, Udagamandalam
Nilgiris, Tamil Nadu.
- 4.The Settlement Officer (Gudalur Janmam Estates)
RDO Office Complex
Gudalur, Nilgiris District,
Tamil Nadu.

... Respondents

PRAYER:

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, forbearing the respondents their subordinates and servants from interfering in any manner with the possession and enjoyment of the land of the petitioner, an extent of 3.12 Acres in Re Survey No.1466/1 part, 1466/2 part (O.S.No.176/1) of Nelliyalam Village, Pandalur Taluk, Nilgiris District, Tamil Nadu and Dwelling house No.13/370 (New No.19/103) comprising an extent of 0.38 Acres, till the disposal of the applications made by the petitioner and to direct the respondent Settlement Officer to entertain the applications filed by the petitioner and to grant Ryotwari patta to the petitioner.

For Petitioner : Mr.Prakash Paul
For Respondents : Mr.A.Kumar
Special Government Pleader
for R1 to R3

O R D E R

Mr.A.Kumar, learned Special Government Pleader takes notice for the respondents 1 to 3. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for the following relief:

"forbearing the respondents their subordinates and servants from interfering in any manner with the possession and enjoyment of the land of the petitioner, an extent of 3.12 Acres in Re Survey No.1466/1 part, 1466/2 part (O.S.No.176/1) of Nelliyalam Village, Pandalur Taluk, Nilgiris District, Tamil Nadu and Dwelling house No.13/370 (New No.19/103) comprising an extent of 0.38 Acres, till the disposal of the applications made by the petitioner and to direct the respondent Settlement Officer to entertain the applications filed by the petitioner and to grant Ryotwari patta to the petitioner."

3. Heard both sides.

4. It is seen that already by an order dated 30.06.2017 issued by the District Revenue Officer, Gudalur, the request of the petitioner for grant of Ryotwari patta was rejected. Even though the said order was passed on 30.06.2017, without challenging the same, the petitioner filed the present writ petition seeking for a direction to the respondents to entertain the application filed by him. I find that the petitioner is not entitled to maintain this writ petition, without challenging the said order. Accordingly, this writ petition is dismissed, however, by granting liberty to the petitioner, to challenge the order dated 30.06.2017 in the manner known to law. No costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

mk

To

- 1.The Secretary to Govt.
State of Tamil Nadu
Revenue Department, Fort St.George,
Chennai, TN-600 009.
- 2.The State of Tamil Nadu
State of Tamil Nadu
Forest Department
Fort St.George, Chennai, TN-600 009.
- 3.The District Collector
Nilgiris District
Collectorate, Udagamandalam
Nilgiris, Tamil Nadu.
- 4.The Settlement Officer (Gudalur Janmam Estates)
RDO Office Complex
Gudalur, Nilgiris District,
Tamil Nadu.

+2cc's to Mr.P.Prakash Paul, Advocate, S.R.No.73643
+1cc to the Government Pleader, S.R.No.74180

W.P.No.26819 of 2017

RR(CO)
CA(08/11/2017)



WEB COPY