

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.01.2017

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.Nos.384 and 686 of 2011

Maduranthagi Natchiyar

... Petitioner in both petitions

- vs -

1. The Special Commissioner &
Commissioner of Land Administration,
Chepauk, Chennai-600 005.

2. The Director of Survey & Settlements,
Chennai-5.

3. The Land Settlement Officer,
Thanjavur.

4. The Assistant Land Settlement Officer,
Madurai.

5. The District Forest Officer,
Ramnad-cum-P.M.T.Forest Division,
Sivagangai-630 501.

6. Raghuraj

7. Rajalakshmi

8. Nagendran (Deceased)

9. Mahesh

10. Tmt.Banumathi Natchiyar

11. N.Lakshmi Priya

12. Minor Akila Nagendiran

13. Minor Sai Sivam

... Respondents in both petitions
(R11 to R13 are represented

by their mother and natural guardian.

R11 to R13-substituted as LR's in the
place of deceased 8th respondent as per
order dated 18.12.13 by KVV

in M.P.Nos.1+1 of 2012 in

W.P.Nos.384 and 686 of 2011)

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records from the 1st respondent herein pertaining to Letter No.Rc.K1/21392/2010 and to quash the order passed therein dated 08.09.2010 and Ne.Ku.K1/38950/01 and to quash the order passed therein dated 26.09.2003.

For Petitioner : Mr.Someswaran
for Mr.T.Dhanasekaran
For Respondents : Mr.S. Diwakar
Spl. Govt. Pleader
for R 1 to 4
R8 Died
R5,6,7 9 to 13 NA

O R D E R

The learned counsel for the petitioner has submitted that in a similar writ petition filed by one Devi and Lalitha in W.P.No.36216 of 2003, this Court, by order dated 17.04.2012, has dismissed the said writ petition by observing in paragraph Nos.24, 25 and 26 as under:

'24. Under the circumstances, it has to be seen whether the petitioners have made out any case for interference.

25. In the present case, the petitioners made a very faint attempt to challenge a notification issued by the Forest Department reserving the land as Reserve Forest. Subsequently, as categorically held, no pattas can be granted in respect of a notified reserve forest. The petitioners attempt to go before the Inam Abolition Authority for claiming patta long after the settlement proceedings are over is totally unacceptable and beyond the limitation period under the provisions of the Act. The petitioners have not made out any case to establish their entitlement for Ryotwari patta in respect of the notified forest which during the proceedings were notified as 'Forest Poramboke'. Not only the petitioners are guilty of delay and laches but also they have not established any legal right to claim the land in question. The Director of Forest and Settlement rightly set aside the order of the Assistant Settlement Officer, Madurai and Assistant Settlement Officer, Thanjavur as it is not within their province, an application beyond the prescribed time by the State Government.'

26. Under the said circumstances, there is no case made out to entertain the writ petition.

Accordingly, the writ petition stands dismissed. No costs.

2. In the light of the above cited decision, both the writ petitions are dismissed. No costs.

-s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

1. The Special Commissioner & Commissioner of Land Administration, Chepauk, Chennai-600 005.
 2. The Director of Survey & Settlements, Chennai-5.
 3. The Land Settlement Officer, Thanjavur.
 4. The Assistant Land Settlement Officer, Madurai.
 5. The District Forest Officer, Ramnad-cum-P.M.T.Forest Division, Sivagangai-630 501.
- +2 Ccs to Mr.T.Dhanasekaran, Advocate sr 5025
+1 CC to Govt. Pleader sr 5302

W.P.Nos.384 and 686 of 2011

SR (CO)
sp/5/4

WEB COPY