

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:20.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN  
AND

THE HONOURABLE MR. JUSTICE N.SESHASAYEE

W.P.No.18513/2017 & WMP.Nos.20079 & 20080/2017

D.Balaji

Petitioner

Vs

1. The Secretary to Government  
State of Tamil Nadu  
Revenue Department  
Secretariat, Chennai 600 009.
2. The District Collector  
Kancheepuram District,  
Kancheepuram.
3. The Tahsildar  
Chengalpattu Taluk,  
Kancheepuram District.

Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified mandamus calling for the records in Se.Mu.Na.Ka.No.2010/2017/AA1 dated 12.05.2017 passed by the 2<sup>nd</sup> respondent and quash the same and consequently direct the 3<sup>rd</sup> respondent to issue the patta to the petitioners property comprising in S.No.109B, measuring 2600 sqft., situated at Thiruthei village, Chengalpet Taluk, Kancheepuram District by implementing G.O.Ms.No.854, Revenue 1[2] Department dated 30.01.2006, G.O.Ms.No.34 dated 23.01.2008 and G.O.Ms.No.43 dated 29.01.2010 passed by the Revenue LD 1[2] Department.

For Petitioner : Mr.M.Rajendiran

For R1 to R3 : Mr.A.N.Thambidurai, Spl.GP

ORDER

[Order of the Court was made by M.SATHYANARAYANAN, J.]

After some arguments, the learned counsel for the petitioner, on instructions, seeks permission of this Court to withdraw this writ petition with a liberty to file a revision and also for interim orders under sections 10-A and 10-B of the Tamil Nadu Land Encroachments Act, 1905 and also made an endorsement in the writ petition to that effect.

2 Heard the submissions of Mr.A.N.Thambidurai, learned Special Government Pleader accepting notice on behalf of the respondents 1 to 3.

3 In the light of the endorsement made, liberty sought for by the petitioner is granted and he is at liberty to file a revision before the Additional Chief Secretary / Commissioner, Land Administration, Chepauk, Chennai-600 005, within a period of two weeks from the date of receipt of a copy of this order and till such time, the respondents 2 and 3 shall defer further proceedings in terms of the impugned notices issued under sections 7 and 6 of the Tamil Nadu Land Encroachment Act, 1905. The Additional Chief Secretary / Commissioner, Land Administration, Chepauk, Chennai-600 005, shall entertain the revision along with the petition for stay, if the papers are otherwise in order and the said official is at liberty either to take up the petition for stay filed under section 10-B of the Act or the main revision filed under section 10-A of the Act and pass appropriate orders on merits and in accordance with law within a further period of ten weeks thereafter and communicate the decision taken to the petitioner.

4 The writ petition stands dismissed as withdrawn subject to above observations. No costs. Consequently, the connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

AP

To

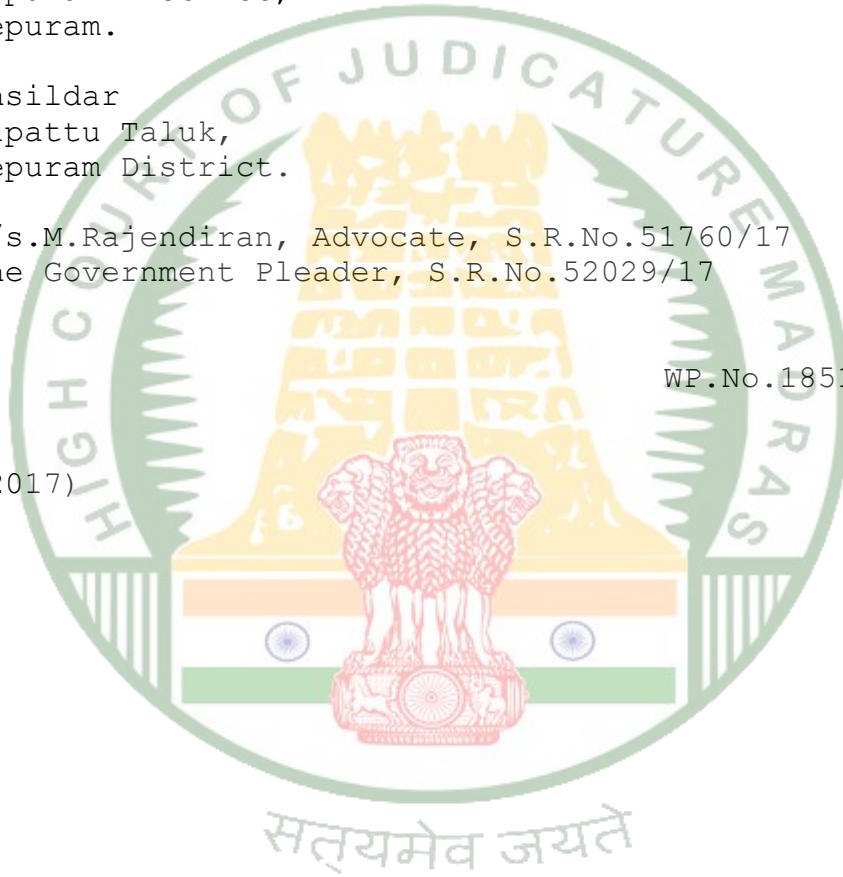
1. The Additional Chief Secretary/Commissioner,  
Land Administration, Chepauk, Chennai-5
2. The Secretary to Government  
State of Tamil Nadu  
Revenue Department  
Secretariat, Chennai 600 009.
3. The District Collector  
Kancheepuram District,  
Kancheepuram.
4. The Tahsildar  
Chengalpattu Taluk,  
Kancheepuram District.

+1cc to M/s.M.Rajendiran, Advocate, S.R.No.51760/17

+1cc to the Government Pleader, S.R.No.52029/17

WP.No.18513/2017

CU(26/07/2017)



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