



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 19.01.2017

CORAM

WEB COPY

**THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU**

W.P (MD) No.803 of 2017

B.J.Abdul Rahim

..Petitioner

**Vs**

1. The Assistant Land Tax Project Officer  
(Land Survey)-cum-  
Commissioner of Land Tax Project,  
Survey House,  
Chepauk, Chennai-5.
2. The District Collector,  
Thanjavur District,  
Thanjavur.
3. The District Revenue Divisional Officer,  
Thanjavur District, Thanjavur.
4. The Revenue Divisional Officer,  
Kumbakonam, Thanjavur District.
5. The Tahsildar,  
Papanasam Taluk Office,  
Papanasam, Thanjavur District.

..Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records of the fifth respondent in Na.Ka.No.7025/2016/Aa4, dated 5.8.2016 and to quash the same as illegal and to direct the respondents 1 to 4 to issue the patta to the Petitioner with regard to the properties in Karuppur Padugai Village S.Nos.5/2 measuring to an extent of 0.06.5 hectares, S.No.6/1, measuring to an extent of 0.32.0 hectares, S.No.7/2 measuring to an extent of 0.01.0 hectares, S.No.13/1 measuring to an extent of 0.18.0 hectares, S.No.14 measuring to an extent of 0.14.5 hectares, S.No.15/1 measuring to an extent of 0.38.0 hectares, S.No.15/3 measuring to an extent of 0.08.0 hectares and S.No.17/4, measuring to an extent of 0.23.0 hectares.



For Petitioner : M/s.G.Gomathi Shankar

For Respondents : Mr.C.Selvaraj  
1 to 5 Special Govt.Pleader

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**ORDER**

This Writ Petition is filed challenging the order of the 5<sup>th</sup> respondent by contending as though the fifth respondent has rejected to grant patta in favour of the Petitioner in respect of the land referred to in the Writ Petition.

2.Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents 1 to 5.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.Perusal of the impugned order would show otherwise. It is seen from the impugned order that as early as on 20.3.2004, in an appeal preferred under the Inam Abolition Proceedings, the Petitioner was directed to approach the Special Commissioner(Land Tax and Land Revenue) for getting patta. It is also stated in the impugned order that the Petitioner has not approached the said official so far, for grant of such patta. Therefore, the fifth respondent in the impugned proceedings has only directed the Petitioner to approach the said official for getting patta as per the judgement passed in C.M.A.No.149 of 1978, dated 16.08.1980. Without doing so, the Petitioner has filed the present Writ Petition and challenged the order passed by the fifth respondent, as though he has rejected the claim of the Petitioner.

5.The learned Special Government Pleader appearing for the respondents 1 to 5 also invited the attention of this Court to the above said fact that the Petitioner has to only approach the said Special Commissioner(Land Tax and Land Revenue) for redressal of his grievance.

6.Considering all these facts and circumstances, I am of the view that the Petitioner has to only approach the said official and seek for appropriate relief. By granting such liberty, this Writ Petition is disposed of. No costs.

Sd/-  
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar



To

1. The Assistant Land Tax Project Officer (Land Survey) -cum-  
Commissioner of Land Tax Project,  
Survey House,  
Chepauk, Chennai-5.

2. The District Collector,  
Thanjavur District,  
Thanjavur.

3. The District Revenue Divisional Officer,  
Thanjavur District, Thanjavur.

4. The Revenue Divisional Officer,  
Kumbakonam, Thanjavur District.

5. The Tahsildar,  
Papanasam Taluk Office,  
Papanasam, Thanjavur District.

+ 1 CC TO Mr.G.GOMATHI SANKAR, ADVOCATE IN SR No. 3220

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 3406

VSN

TE/MR-VB : 02/02/2017 : 3P/8C

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