



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.08.2017

CORAM:

WEB COPY

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR**

W.A. (MD) No.247 of 2011

and

M.P. (MD) No. 2 of 2011

G.Mahalingam : Appellant/Writ Petitioner

Vs.

1.The Principal Secretary and Commissioner of
Land Administration, Chepauk,
Chennai - 600 005.

2.The District Revenue Officer,
Thanjavur District,
Thanjavur.

3.The Revenue Divisional Officer,
Thanjavur District.

4.The Tahsildar,
Thiruvidaimarudhur,
Thanjavur District.

5.G.Ramamoorthy : Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, praying this Court to set aside the order made in W.P(MD)No.7921 of 2010, dated 9.11.2010.

Prayer in WP(MD). 7921/ 2010 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARI calling for the order dated 21.8.2006 passed by the third respondent in Bk.K.e.j.g 230/04/A3 and confirmed by the second respondent in Rc.no. 15/07/2008/E2, dated 2.7.2008 and the order first respondent dated 10.5.2010 in D.Dis.No. K3/21628/2008 and quash the same.

For Appellant

:Mr.S.Anwar Sameem for Mr.I.Irulappan

For Respondent Nos.1

:Mr.T.R.Janarthanan

<https://hcservices.ecourts.gov.in/hcservices/>

to 4

For Respondent No.5

:Mr.S.Balasubramania Iyer

**JUDGMENT**

[Judgment of the Court was made by **M.M.SUNDRESH, J.**]

By the impugned order, patta was granted in favour of the private respondents herein.

2.The learned Single Judge dismissed the Writ Petition stating that the issue one being of title. It is for the appellant to work out the remedy before the Civil Court. Challenging the same, the present Writ Appeal has been filed.

3.Heard the submissions of either side and perused the materials placed before this Court.

4.This Court cannot go into the title to the owner and patta is a document of title.

5.In such view of the matter, the Writ Petition is disposed of with liberty to the appellant to approach the jurisdictional Court. As and when such suit is filed, the jurisdiction Court will have to decide the same on its own merits without being influenced by the order passed in the Writ Petition in favour of the private respondents. Consequently, connected Miscellaneous Petition is closed. No costs.

Sd/-

Assistant Registrar(CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The Principal Secretary and Commissioner of
Land Administration, Chepauk,
Chennai - 600 005.

2.The District Revenue Officer,
Thanjavur.

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

4.The Tahsildar,
Thiruvidaimarudhur,
Thanjavur District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.72911

+1cc to Mr.I.IRULLAPPAN Advocate in SR. No.72808

+1cc to Mr.S.BALASUBRAMANIA IYER Advocate in SR.No.72524

VSN

JS/MR.KKR/SAR.2/24.08.2017/ 2P-8C

JUDGMENT MADE IN
W.A.(MD)No.247 of 2011

and
M.P.(MD)No. 2 of 2011
16.08.2017