

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.3005 of 2018
and
WMP.No.3671 of 2018

P.Bakthavatchalam
Son of Mr.Perumal Naidu ... Petitioner
.vs.

1. The District Collector
Thiruvallur
Thiruvallur District.
2. District Revenue Officer
Ponneri, Thiruvallur District.
3. The Tahsildar
Ponneri
Thiruvallur District.Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records in Na.Ka.No.3777/2016/A1 dated 02.01.2018 passed by the 3rd respondent and quash the same and directing the respondents not to assign the lands in S.No.558/1 measuring 1 Acre 41 Cents.

For Petitioner : Mr.S.Dharmakkan
For Respondents: Mr.E.Balamurugan
Additional Government Pleader

O R D E R

Mr.E.Balamurugan, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is aggrieved against the order passed by the third respondent, wherein and whereby, his objection raised against the proposed re-settlement of 72 families in the subject matter land was rejected, on the reason that it is the

Government Poromboke Land, over which, the petitioner cannot claim any right or title and consequently, the purchase made by the petitioner also was against the G.O.No.1135 Revenue Department dated 16.03.1962.

3. Though the petitioner before this Court sought to raise very many contentions on merits in support of his claim, this Court is not inclined to go into the same and give any findings, as the order passed by the third respondent is appealable before the Revenue Divisional Officer, Ponneri. Therefore, it is for the petitioner to approach the said official and file such appeal, who will certainly, look into the merits of the matter and decide the same. Without doing so, the petitioner has chosen to file the present writ petition before this Court.

4. Therefore, without expressing any view on the claim made by the petitioner, this writ petition is disposed of, by granting liberty to the petitioner to file an appeal before the Revenue Divisional Officer, Ponneri, within a period of four weeks from the date of receipt of a copy of this order. If any such appeal is filed, the same shall be considered and decided on its own merits and in accordance with law, after giving due opportunity of hearing to the petitioner and other interested parties, if any. Till such an appeal is filed by the petitioner, the respondents are directed to maintain status quo as on today, since it is stated that the petitioner is in possession and enjoyment of the property from the date of his purchase, made as early as in the year 1987. No costs. Consequently, connected miscellaneous petition is closed.

Assistant Registrar

Dt.20.2.18

//True copy//

Sub assistant Registrar

To

1. The District Collector
Thiruvallur
Thiruvallur District.
2. District Revenue Officer
Ponneri, Thiruvallur District.

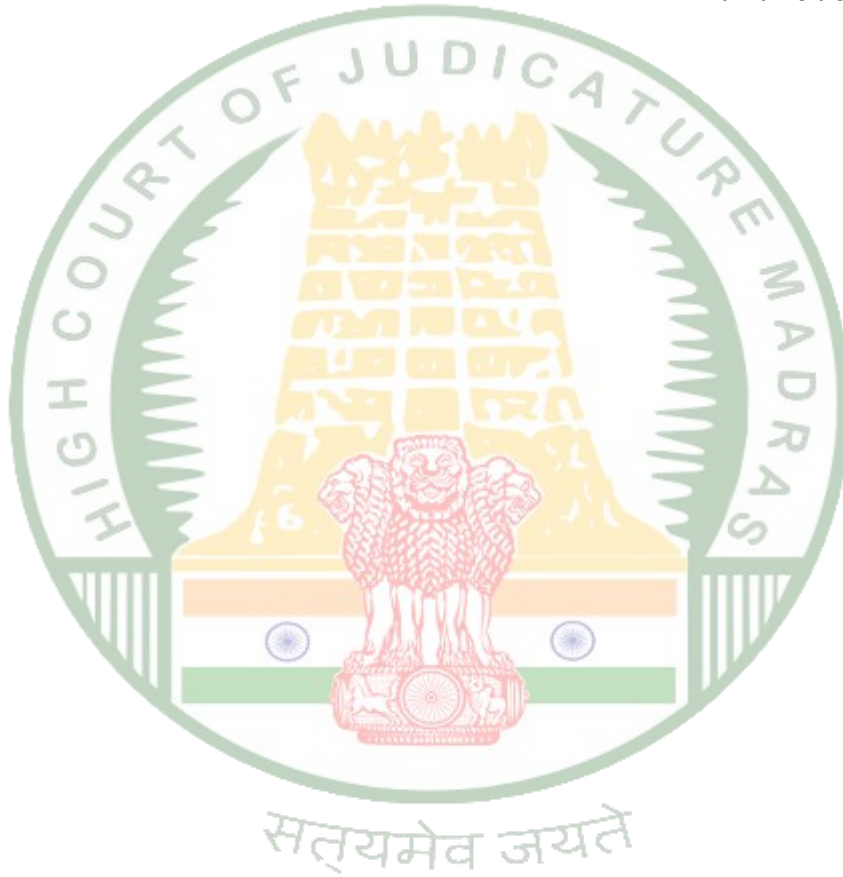
3. The Tahsildar
Ponneri
Thiruvallur District.

+1 cc to Mr.S.Dharmakkan,advocate,sr.10667.

+1 cc to Govt.Pleader,sr.10954.

Sr(co)
krd 22/2

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