

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.9009 of 2018 and
W.M.P. Nos.10862 & 10863 of 2018

Vatchala

.. Petitioner

-VS-

1.The Secretary to Government,
Department of Revenue,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.

2.The Revenue Tahsildar,
Ulundurpet, Villupuram District.

3.The Village Administrative Officer,
Parikkal, Villupuram District.

4.The Executive Officer,
Arulmigu Lakshmi Narasimha Perumal
Koil Parikkal,Villupuram District. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the respondents particularly that of the second respondent in Na.Ka.No.A6/9245/2017 dated 28.03.2018 and quash the same as illegal, unlawful and against principles of natural justice and consequently forbear the respondents 2 to 4 their men, agents, servants from in any manner disturb the petitioner's peaceful possession and enjoyment over the property situate at Sannadhi Street, Parikkal, Old Survey No.63/12-A and new Survey No.151/3 comprising in total extent of 13.25 cents measuring an extent of 1440 sq.

For Petitioner: Mr.R.Ravi

For Respondents:Mr.V.Jayaprakash Narayanan,
Special Government Pleader
for R1 to R3

Mr.M.Maharaja,
Special Government Pleader for R4

ORDER

This writ petition has been filed challenging the impugned order passed by the second respondent in Na.Ka.No.A6/9245/2017 dated 28.03.2018.

2.The impugned order has been passed by the second respondent refusing to accept the prayer for issuance of patta on the three valid reasons. Firstly, the Revenue Tahsildar, the second respondent herein has taken a stand that the petitioner has failed to produce any other additional documents to show that he has been in possession and enjoyment of the property. Secondly, the Tahsiildar has mentioned that the property to which the petitioner has asked for issuance of patta, has been in physical possession and enjoyment of Arulmigu Lakshmi Narasimma Perumal Thirukoil. Thirdly, he has cited that there was serious objection from the other people in respect of Old Survey No.63/12A Natham New Survey No.151/3-00138 sq.m.

3.This Court finds no error or infirmity in the impugned order passed by the second respondent. In view of the aforesaid reasons cited for refusing to issue the patta, the petitioner can either approach the Appellate Authority or the Civil Court establishing that he has been in possession and enjoyment of the property and he cannot come to this Court. Liberty is given to the petitioner to work out his remedy in the manner known to law. Accordingly, this petition is dismissed. No costs. Consequently, connected W.M.Ps are also dismissed.

s/d-

Assistant Registrar(CS VII)

True Copy

Sub-Assistant Registrar

vga
To

1.The Secretary to Government,
Department of Revenue,
Government of Tamil Nadu,
Fort St. George,
Chennai-600 009.

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2.The Revenue Tahsildar,
Ulundurpet, Villupuram District.

3.The Village Administrative Officer,
Parikkal, Villupuram District.

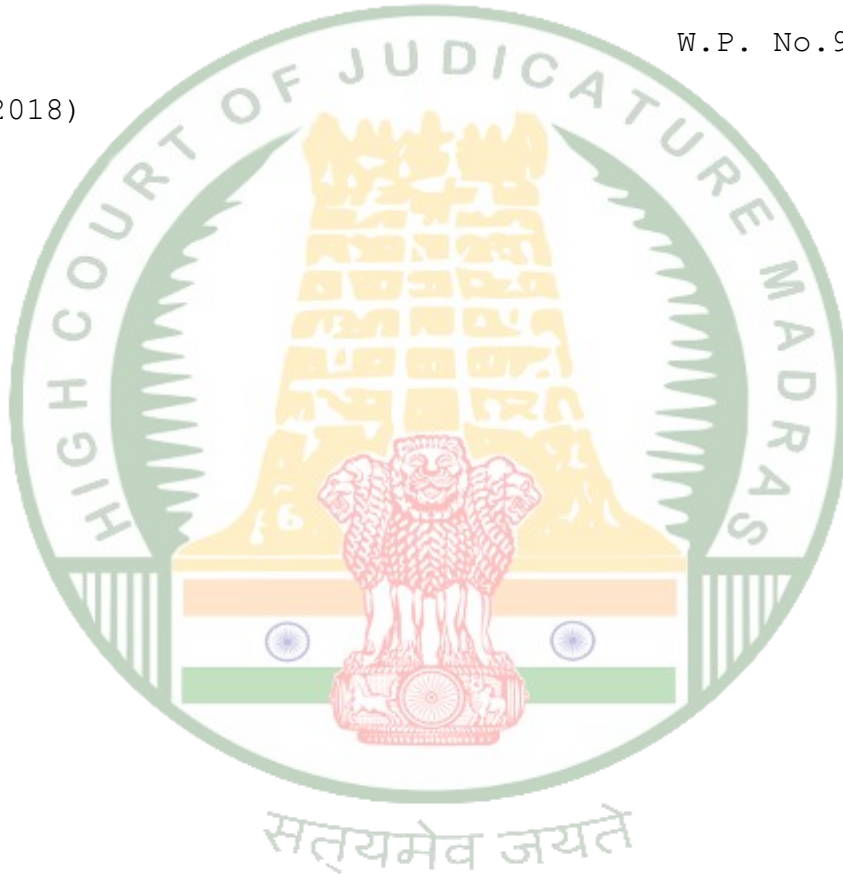
4.The Executive Officer,
Arulmigu Lakshmi Narasimha Perumal
Koil Parikkal,Villupuram District.

+1 Cc to Govt. Pleader sr 28953, 28436, 28064.

+1 CC to Mr.R. Ravi, Advocate sr 27878.

W.P. No.9009 of 2018

SP(26/04/2018)



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