

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :06.07.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.29610 of 2015

and

M.P.Nos.1 to 3 of 2015

and

W.M.P.No.31286 of 2016

A.Velmurugan ... Petitioner

vs

1.The District Collector,
Cuddalore District,
Cuddalore.

2.The District Revenue Officer,
O/o. The District Collector,
Cuddalore District.

3.The Revenue Divisional Officer,
Viruthachalam Taluk,
Cuddalore District.

4.The Tahsildar,
Viruthachalam Taluk,
Cuddalore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records relevant to the order in Na.Ka.AA7/16441/2014 dated August 2015 passed by the fourth respondent and quash the same as illegal, improper, unreasonable and natural justice and thereby direct the respondents to issue patta in respect of the property situated in Natham Survey No.105/1 to an extent of 0.00.5 Ares or 1 ¼ cents Mangalampettai Post, Viruthachalam Taluk, Cuddalore District - 606 104 in the name of petitioner.

For Petitioner : Mr.A.Rajesh Kanna
For Respondents : Mr.D.Raghu
Government Advocate

O R D E R

The order of the fourth respondent/Tahsildar dated 28.08.2015, rejecting the claim of the writ petitioner for grant of Patta, is under challenged in this writ petition.

2. The writ petitioner claims that he is in absolute possession and enjoyment of the landed property situated in S.No.105/1 to an extent of 0.00.5 Ares or 1 ¼ cents at Mangalampettai Post, Viruthachalam Taluk, Cuddalore District.

3. The petitioner claims that he is in possession of the said property for long years and based on that he has submitted an application for grant of Patta before the fourth respondent/Tahsildar. The fourth respondent/Tahsildar rejected the claim of the writ petitioner on the ground that the land in question is classified as partly poramboke and therefore the said land is required for extension of public road in future. Thus, no Patta can be issued to the said land.

4. Be that as it may, this Court is of an opinion that under the provisions of the Patta-Pass Book Act, 1983, an appeal is provided against the order passed by the fourth respondent/Tahsildar seeking Patta.

5. Thus, it is left open to the writ petitioner to approach the appellate authority for the purpose of redressal for his grievances, in respect of the order passed by the fourth respondent/Tahsildar for grant of Patta.

6. With these observations, the writ petition stands disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

nmm/stm

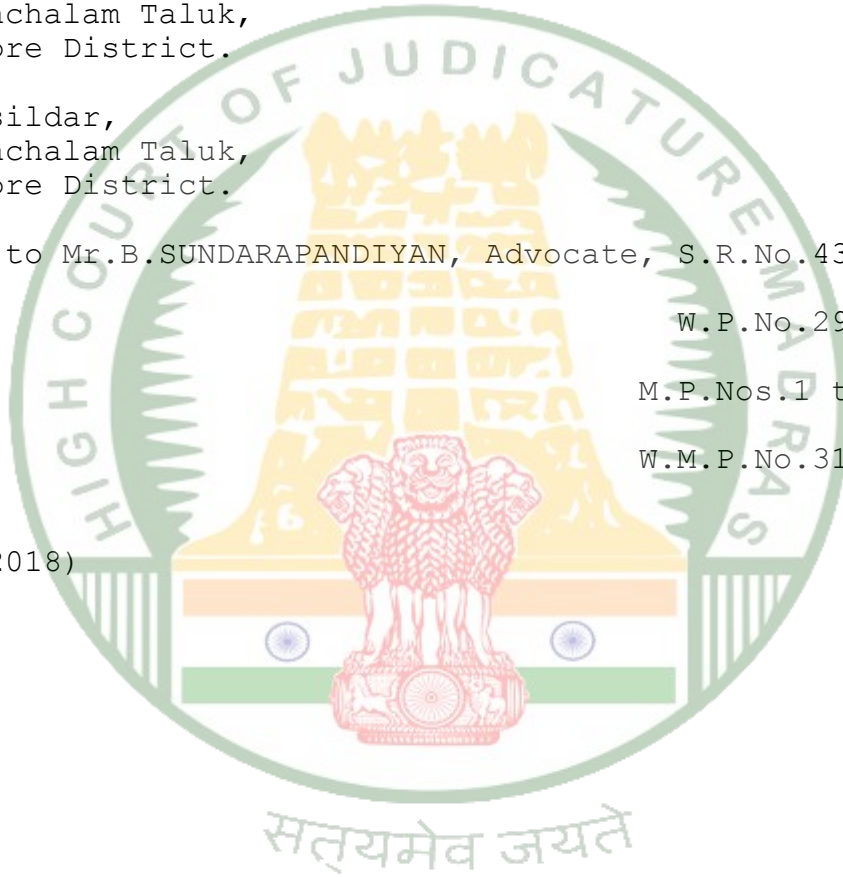
To

- 1.The District Collector,
Cuddalore District,
Cuddalore.
- 2.The District Revenue Officer,
O/o. The District Collector,
Cuddalore District.
- 3.The Revenue Divisional Officer,
Viruthachalam Taluk,
Cuddalore District.
- 4.The Tahsildar,
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+1cc to Mr.B.SUNDARAPANDIYAN, Advocate, S.R.No.43945

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and
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TR(18/07/2018)



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