

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.18886 of 2018

Abdul Rahman

... Petitioner

-vs-

1. The District Revenue Officer
Cuddalore District, Cuddalore
 2. Sub Collector / Revenue Divisional Officer
Chidambaram, Cuddalore District
 3. The Tahsildar
Kattumannarkoil
Cuddalore District Pin: 608 303
 4. Ambalavanan
S/o Subbraya Pillai
- ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, forbearing the respondents 1 to 3 and his subordinates from altering the revenue records relating to the petitioner's lands in R.S.Nos.117/6, 117/1, 119/3 and 58/9 at Rayanallur Village, Kattumannarkoil Taluk, Cuddalore District by including the name of the fourth respondent herein in patta as per the order of the second respondent dated 28.10.2014 or till a copy of the order of the first respondent dated 29.12.2017 is furnished to the petitioner.

For Petitioner :: Mr.A.Muthukumar

For Respondents :: Mrs.K.Bhuvaneswari
Additional Government Pleader
for R1 to 3

ORDER

The petitioner, claiming to be absolute owner of the land covered in R.S.Nos.117/6, 117/1, 119/3 and 58/9 situated at Rayanallur Village, Kattumannarkoil Taluk, Cuddalore District, further pleads that the patta also has been issued in favour of

the petitioner's father, who has registered a settlement deed on 30.11.2012 in favour of the petitioner and his sisters and brothers. Since the settlees have been put in possession of the properties, one Mr.Ambalavanan, S/o Subbaraya Pillai, the fourth respondent herein has applied for transfer of patta for the aforementioned land in his name. After conducting a detailed enquiry, the Sub Collector / Revenue Divisional Officer, Chidambaram, the second respondent herein, in his proceedings dated 28.10.2014, rejected the claim of the fourth respondent. As against that, the fourth respondent again preferred an appeal before the District Revenue Officer, Cuddalore, the first respondent herein. It appears that the first respondent also, without issuing notice, reversed the order passed by the second respondent. Therefore, the Tahsildar, Kattumannarkoil, the third respondent herein should be directed not to mutate the revenue records in favour of the fourth respondent, as the petitioner is also entitled to challenge the order passed by the first respondent.

2. The learned Additional Government Pleader for the respondents also fairly submitted that the petitioner will be issued with a copy of the order passed by the first respondent. If the petitioner is aggrieved, it is open to him to challenge the same in the manner known to law.

3. Since the District Revenue Officer, Cuddalore has already passed an order without hearing the petitioner, this Court hereby directs the first respondent to furnish a copy of the order reversing the order passed by the second respondent, to the petitioner within one week from the date of receipt of a copy of this order. On receipt of the same, the petitioner is entitled to work out his remedy in the manner known to law. Till then, the Tahsildar, Kattumannarkoil is further directed not to effect any change in the revenue records. With this direction, the writ petition stands disposed of. Consequently, W.M.P.No.22272 of 2018 is closed. No costs.

Sd/-

Assistant Registrar(CS V)

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Sub Assistant Registrar

ss

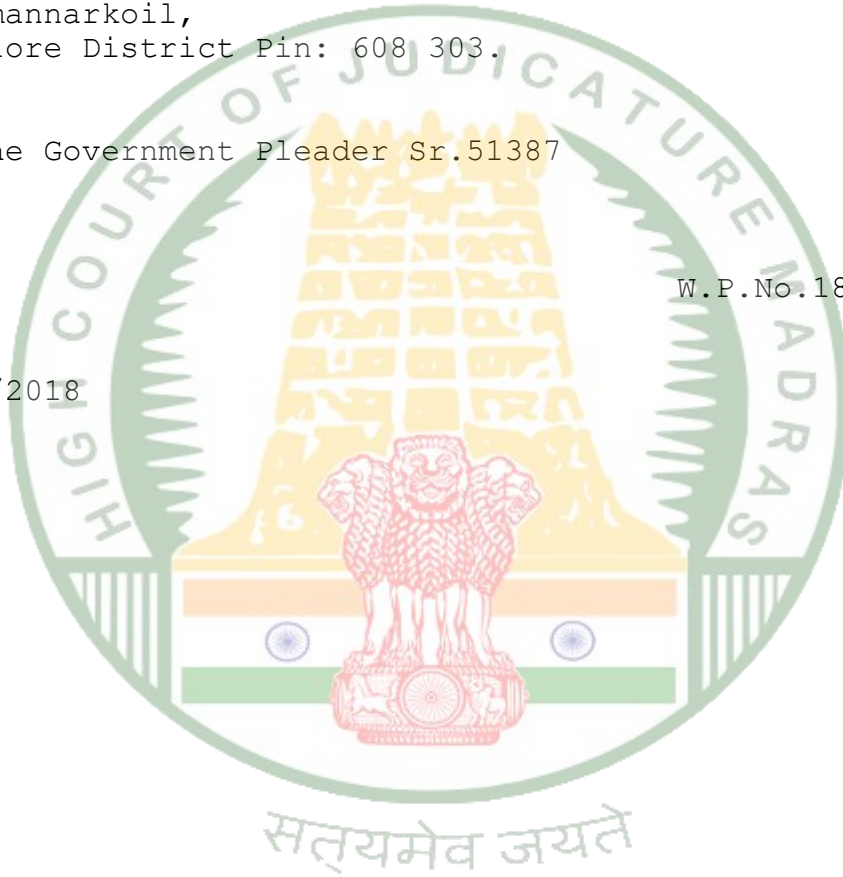
To

1. The District Revenue Officer,
Cuddalore District, Cuddalore.
2. The Sub Collector / Revenue Divisional Officer,
Chidambaram, Cuddalore District.
3. The Tahsildar,
Kattumannarkoil,
Cuddalore District Pin: 608 303.

+lcc to the Government Pleader Sr.51387

W.P.No.18886 of 2018

srg 10/08/2018



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