

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 04.07.2018****CORAM****THE HONOURABLE MR.JUSTICE M.DHANDAPANI****W.P.No.24655 of 2006**

C.Chinnaraj ... Petitioner

Vs.

1.The District Revenue Officer,
Krishnagiri.2.The Revenue Divisional Officer,
Krishnagiri.3.The Tahsildar,
Krishnagiri.4.T.Amruthavalli
5.Tmt.Thavamani

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records on the file of the 1st respondent in proc.No.Na.Ka.J.2/49331/2002 dated 06.04.2006 and quash the same as illegal, incompetent, without jurisdiction and further direct the 1st respondent to restore the order of the 3rd respondent in proc.No.TA.2/1986 dated 30.03.1994.

For Petitioner : Mr.V.Lakshminarayanan

For Respondents : Mr.K.Ravikumar for R1 to R3
Additional Government Pleader
Mr.M.Selvam for R4 and R5

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus to call for the records on the file of the first respondent in proc.No.Na.Ka.J.2/49331/2002 dated 06.04.2006 and to quash the same as illegal, incompetent, without jurisdiction and further direct the first respondent to restore the order of the third respondent in proc.No.TA.2/1986 dated 30.03.1994.

2.It is the case of the petitioner that he filed an application before the third respondent for registration of his name as cultivating tenant and after due enquiry his application was allowed on 30.03.1995. Since the third respondent recorded for a lesser extent, the petitioner preferred appeal before the second respondent and the appeal was dismissed for default by the second respondent on 28.11.1995. Challenging the said order, the petitioner approached the first respondent. It appears that the appeal was remanded on 09.07.2001. Thereafter, the second respondent fixed the date of hearing which was not informed to the petitioner. However, the second respondent vide order dated 15.03.2002 had recorded the petitioner's occupation in respect of 75 cents in S.No.14/1B as against the possession of 2.15 acres in that Survey Number alone. Hence, the petitioner preferred revision before the first respondent and the first

respondent vide proceedings dated 06.04.2006, confirmed the order of the second respondent dated 15.03.2002. Hence, the petitioner has filed this writ petition.

3.The third respondent has filed counter affidavit stating that settlement was made between the writ petitioner and the land owners namely, respondents 4 and 5. The respondents 4 and 5 sold out all the properties mentioned in the writ petition with the knowledge of the petitioner and his son Arumugam. Hence, no question of cultivation tenancy arise.

4.In view of the above, nothing survives for further adjudication in this writ petition. The writ petition is accordingly closed. No costs.

04.07.2018

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Speaking Order/ Non Speaking Order

Index: Yes/ No

Internet: Yes/ No

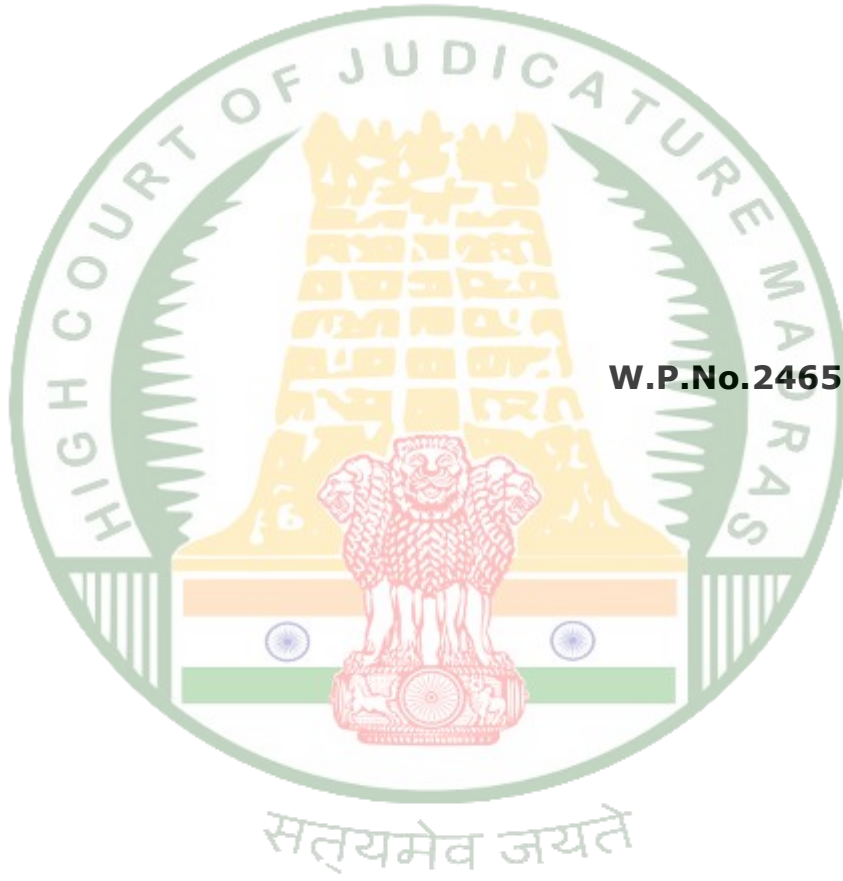
To

1.The District Revenue Officer,
Krishnagiri.

2.The Revenue Divisional Officer,
Krishnagiri.

3.The Tahsildar,
Krishnagiri.

M.DHANDAPANI,J.
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