



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 24.08.2018
CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

WEB COPY

W.P. (MD) No.18474 of 2018
and
W.M.P (MD) .No.16372 of 2018

M.Kannan

: Petitioner

Vs.

1.The Additional Chief Secretary/
Commissioner of Land Administration,
Ezhizhagam, Chepauk,
Chennai-600 005.

2.The District Collector,
Sivagangai,
Sivagangai District.

3.The District Revenue Officer,
Sivagangai,
Sivagangai District.

4.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

5.The Tahsildar,
Sivagangai,
Sivagangai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to forbear the respondents herein from anyway issuing pattas to the third parties in respect of the lands acquired from the petitioner under the Enam Abolition Act, 26/48 before issuing patta to the petitioner for his lands situated in SF.No.1/16, (Village 1/16 Mahaani) Kayangulam Group 84, Kuttithinni Village, Thambanusilangulam Sub Division, Sivagangai, Sivagangai District.

For Petitioner : Mr.S.Mohamed Kadhar

For Respondents : Mr.M.Jeyakumar
Additional Government Pleader

**ORDER**

This Writ Petition is filed to forbear the respondents herein from anyway issuing pattas to the third parties in respect of the lands acquired from the petitioner under the Enam Abolition Act, 26/48 before issuing patta to the petitioner for his lands situated in SF.No.1/16, (Village 1/16 Mahaani) Kayangulam Group 84, Kuttithinni Village, Thambanusilangulam Sub Division, Sivagangai, Sivagangai District.

2.Mr.M.Jeyakumar, learned Additional Government Pleader takes notice on behalf of the respondents.

3.From the materials placed for consideration and the facts disclosed in the affidavit filed in support of the writ petition, there appears to be absolutely no cause of action for the petitioner to approach this Court, at this stage. It appears that there is some enquiry pending before the third respondent with regard to the claim of the petitioner for grant of patta, in pursuance of the direction passed by this Court in W.P(MD).No.12190 of 2018, dated 08.06.2018.

4.When the issue is pending before the third respondent in pursuance of the direction issued by this Court recently, it is not open to the petitioner to rush to this Court in the meanwhile, in order to obtain some kind of interim order against the third parties. Such writ petition filed by the petitioner is misconceived and cannot be entertained at all.

5.In view of the same, this Court finds that the writ petition is not maintainable and the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-I)

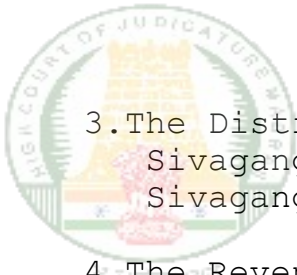
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Sub Assistant Registrar(CS-I)

To

1.The Additional Chief Secretary/
Commissioner of Land Administration,
Ezhizhagam, Chepauk,
Chennai-600 005.

2.The District Collector,
Sivagangai,
<https://hcservices.ecourts.gov.in/hcservices/>
Sivagangai District.



3.The District Revenue Officer,
Sivagangai,
Sivagangai District.

4.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

5.The Tahsildar,
Sivagangai,
Sivagangai District.

+1CC to Mr.V.Balamurugan, Advocate, SR.No.79948

+1CC to the Special Government Pleader SR.No. 80285

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and

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24.08.2018

RMK

ES/PM/SAR 1/03.10.2018/3P/8C