

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.11.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.7358 of 2012

V.Ramachandran

... Petitioner

Vs.

1.The Principal Secretary
and Commissioner of
Land Administration,
Chepauk, Chennai - 600 005.

2.The District Revenue Officer,
Ponneri Taluk,
Tiruvallur District.

3.The Tahsildar,
Ponneri Taluk,
Tiruvallur District.

4.Chockalingam

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records relating to the order in Reference No.K4/14365/11 dated 11.01.2012 passed by the 1st respondent herein and to quash the same as being void, illegal, unjust and arbitrary.

For Petitioner : Mr.R.Arvind

For Respondents: Mr.A.N.Thambidurai for R1 to R3
Special Government Pleader
Mr.R.Munusamy for R4

WEB COPY

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari calling for the records relating to the order in Reference No.K4/14365/11 dated 11.01.2012 passed by the first respondent and to quash the same as being void, illegal, unjust and arbitrary.

2.Heard the arguments advanced on either side.

3.The case of the petitioner is that the land in dispute is to a total extent of 1.30 acres of wet agricultural lands comprised in New S.No.25/2B (Old S.Nos.25/2) in Vellivoyal Village, Ponneri Taluk, Tiruvallur District. The fourth respondent was granted patta No.67 in the UDR Proceedings on 08.08.1987. During the year 1996, the petitioner presented Objection Petition before the concerned Revenue Authorities. Thereafter, the second respondent after calling for the reports of the Revenue Divisional Officer and other Officials, vide order dated 20.04.2011 set aside the patta in the name of the fourth respondent. Aggrieved by the same, the fourth respondent preferred a Revision Petition before the first respondent and the first respondent vide impugned order dated 11.01.2012 allowed the Revision. Hence, this writ petition.

4.The learned counsel appearing for the petitioner would submit that for the very same issue, the fourth respondent has filed a suit in O.S.No.127 of 2011 and the same is pending before the District Munsif Court at Ponneri and would further submit that after disposal of the said suit, the succeeding party may file application before the appropriate Authority for cancellation grant of patta.

5.The order passed by the Revenue Authorities including the respondents 1 and 2 is the subject matter of the suit pending before the District Munsif Court. Hence, after disposal of the suit in O.S.No.127 of 2011, the succeeding party may file appropriate application before appropriate Authority for cancellation grant of patta.

6.With the above observation, this writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition, if any, is closed.

Sd/-

Assistant Registrar (Insp Cell)

//True Copy//

Sub Assistant Registrar

pri

To

1.The Principal Secretary
and Commissioner of
Land Administration,
Chepauk, Chennai - 600 005.

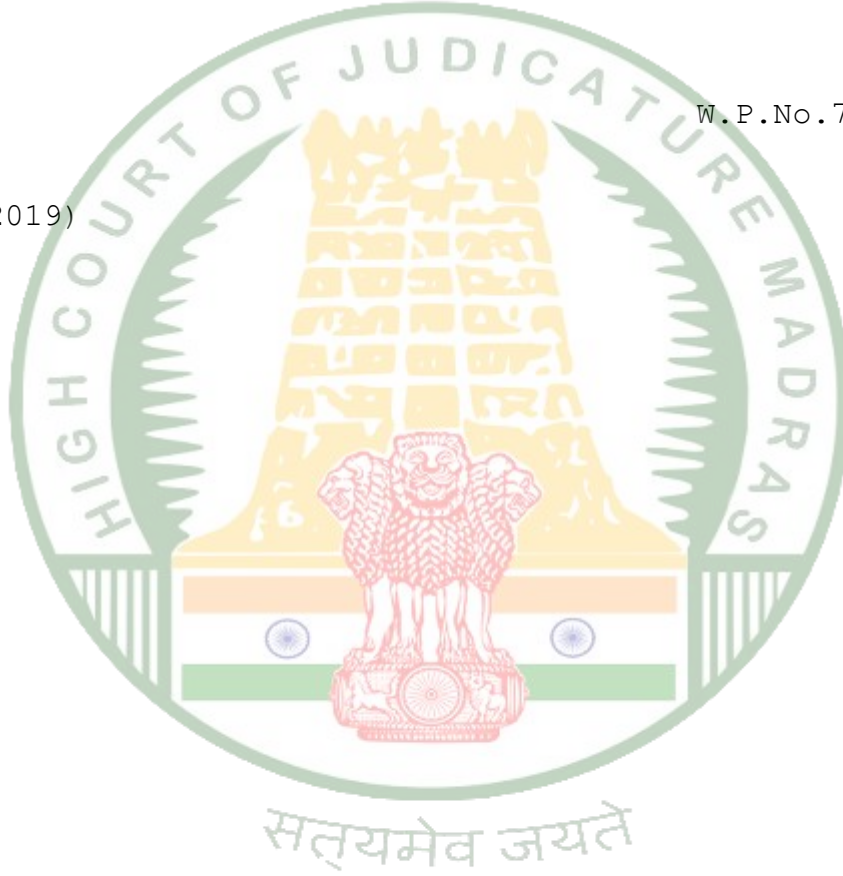
2.The District Revenue Officer,
Ponneri Taluk,
Tiruvallur District.

3.The Tahsildar,
Ponneri Taluk,
Tiruvallur District.

+1cc to Mr.R.Munusamy, Advocate, S.R.No. 92189
+2cc to Mr.R.Arvind, Advocate, S.R.No. 92255 & 92274
+1cc to the Government Pleader, S.R.No. 92531

W.P.No.7358 of 2012

KJI (CO)
GN(27/11/2019)



WEB COPY