

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 26.06.2019

CORAM :

The Hon'ble Mrs.V.K.TAHILRAMANI, CHIEF JUSTICE

AND

The Hon'ble Mr.JUSTICE M.DURAIWAMY

W.P. No.16861 of 2019

R.Velmurugan

.. Petitioner

-vs-

1.The District Collector,
Namakkal District,
Namakkal.

2.The Revenue Divisional Officer,
Thiruchengode,
Namakkal District.

3.The Tahsildhar,
Thiruchengode,
Namakkal District.

4.The Revenue Inspector,
Manickampalayam Firka,
Thiruchengode Taluk,
Namakkal District.

5.A.Ganesan

6.Sagayarani

.. Respondents

Petition filed under Article 226 of the Constitution of India praying for issue of Writ of Certiorari calling for the records pertaining to the impugned letter of the 3rd respondent having reference O.Mu.733/2019/A3, dated 11.3.2019 and quash the same.

For Petitioner

: Mr.E.P.Senniayangiri

For Respondent

: Mr.S.Kamalesh Kannan
Government Advocate
for respondent Nos.1 to 4

ORDER

(Order of the Court made by The Hon'ble Chief Justice)

Heard Mr.E.P.Senniyangiri, learned counsel for the petitioner and Mr.S.Kamalesh Kannan, learned Government Advocate for respondent Nos.1 to 4.

2. The petitioner is seeking to quash the letter dated 11.03.2019 addressed by the Tahsildar, Thiruchengodeu to the Revenue Divisional Officer, Thiruchengodu. The said letter pertains to the complaint given by the petitioner regarding the alleged encroachment in Survey No.194/4 measuring an extent of 0.0093.3 square meter in Samayapura Mariyamman Nagar. The said encroachment has been allegedly done by A.Ganesan, the fifth respondent herein. The sixth respondent herein i.e., wife of the fifth respondent has given a representation to get the said encroached land assigned to her on payment of the land value to the Government. The sixth respondent has also requested to issue patta, which was objected to by the petitioner.

3. We have perused the impugned letter dated 11.03.2019. In the said letter, the Tahsildar, Thiruchengodu has only requested the Revenue Divisional Officer, Thiruchengodu to give his opinion for taking further action in the matter. Thus, it is seen that the Tahsildar, Thiruchengodu is only seeking opinion of the Revenue Divisional Officer, Thiruchengodu as to the further action which has to be taken in the matter. The opinion may be in favour or against the assignment of land to the sixth respondent and it cannot be inferred at this stage.

4. In our view, the writ petition is premature, hence, we are not inclined to entertain the writ petition and the same is dismissed. No costs.

Sd/-

Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Namakkal District,
Namakkal.

2.The Revenue Divisional Officer,
Thiruchengode, Namakkal District.

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3.The Tahsildhar,
Thiruchengode,
Namakkal District.

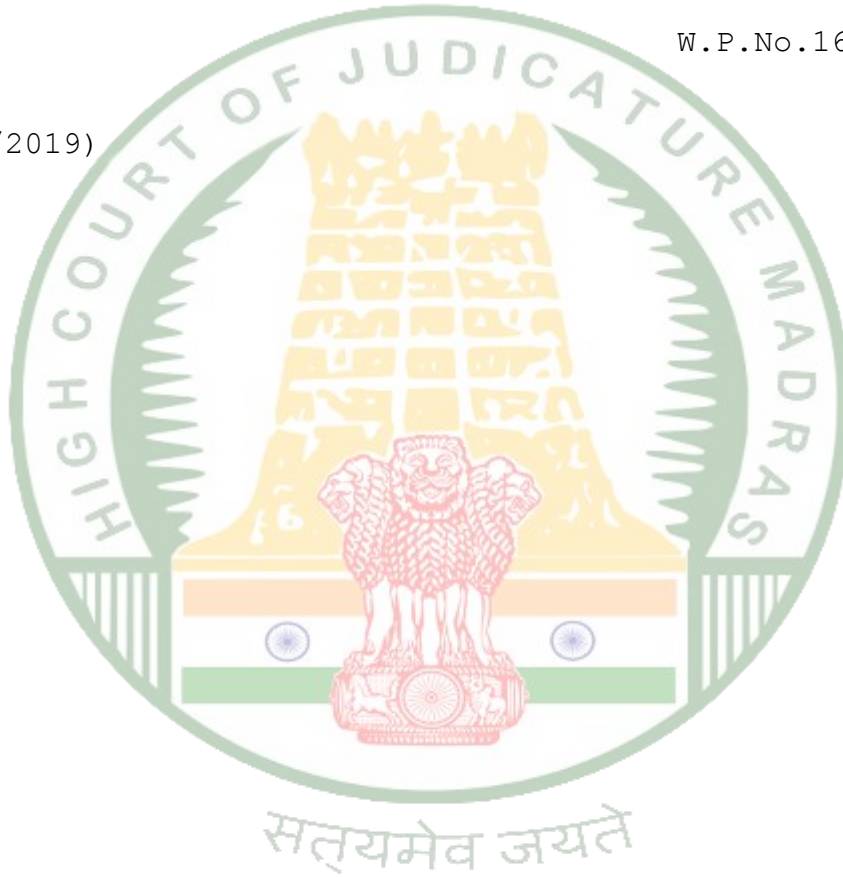
4.The Revenue Inspector,
Manickampalayam Firka,
Thiruchengode Taluk,
Namakkal District.

+lcc to Mr.E.P.Senniyangiri, Advocate, S.R.No.53157
+lcc to the Government Pleader, S.R.No.53549

W.P.No.16861 of 2019

AD(CO)

RRS (19/07/2019)



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