

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.07.2019

CORAM

THE HON'BLE MR.JUSTICE P.D.AUDIKESSAVALU

W.P. No. 22369 of 2019
and
W.M.P. No. 21688 of 2019

Karthikeyan ... Petitioner

Vs.

1. The District Collector,
Puducherry.
2. The Deputy Collector,
Revenue (North),
Puducherry.
3. Government of Puducherry
Tasildhar cum Chairman,
Administrative Advisory Committee,
Department of Revenue and Disaster Management,
Taluk Office, Oulgaret,
Puducherry.
4. The Revenue Officer,
Land Grab Cell,
Department of Revenue and Disaster Management,
Puducherry.
5. The Sub Registrar, सतयमेव जयते
Office of the Sub Registrar,
Oulgaret, Puducherry.
6. The Station House Officer,
Lawspet Police Station,
Puducherry.
7. Abner Cesar
8. Chitra
9. Malliga
10. Kishore Kumar
11. Udhayakumar
12. Muruganand ... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for records in Proceedings No.5519/TOO/LG/E/2017/235 dated 05.03.2019 on the file of Third Respondent and quash the same.

For Petitioner : Mr. R. Rajarajan

For Respondents: Mr. D. Ravichandran (For R1 to R6)
Additional Government Pleader
(Puducherry)

O R D E R

This Writ Petition has been filed challenging the order No. 5519/TOO/LG/E/2017/235 dated 05.03.2019 issued by the Third Respondent.

2. Mr. D. Ravichandran, Learned Additional Government Pleader (Puducherry), who takes notice for the First to Sixth Respondents, submits that the impugned order does not conclusively determine the rights of the Petitioner or the Seventh to Twelfth Respondents, who have been relegated to work out their remedies before the jurisdictional Courts for redressal of their grievances and the endeavour was limited to maintaining law and order in terms of G.O. Ms. No. 104 Revenue and Disaster Management Department dated 16.11.2007 issued by the Government of Puducherry, in which scope and functions of the Third Respondent has been explained as follows:-

- "i. The Committee will examine all the private disputes relating to landed properties including those referred by the Station House Officers, by calling the parties for enquiry, examining the documents, government records, etc. and measuring the disputed properties.
- ii. The Committee will render appropriate advice to the parties in dispute, so that the law and order is maintained in the jurisdiction of the concerned SHO.
- iii. In case of dispute over possession of the property, the matter may be referred to the Sub-Divisional Magistrate to proceed under Section 145 of Cr.PC. In the event of dispute over title, the parties may be advised to approach the concerned civil court under whose jurisdiction the matter falls.

- iv. The services of the Puducherry Legal Services Authority may also be utilized to settle the problem amicably and for this purpose, the committee will function as a facilitator."

3. Having regard to the aforesaid submissions made, Learned Counsel for the Petitioner seeks permission of this court to withdraw the Writ Petition and he has made an endorsement to that effect, which is recorded. It is made clear that the jurisdictional Court while adjudicating the inter se dispute between the Petitioner and the Seventh to Twelfth Respondents, shall not be inhibited or influenced by the any of the observations made by the Third Respondent in the impugned order and the adjudication shall be made based on the pleadings and evidence adduced by the parties on merits and in accordance with law.

4. The Writ Petition is dismissed as withdrawn with the aforesaid clarification. Consequently, connected Miscellaneous Petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

may a

To

1. The District Collector,
Puducherry.
2. The Deputy Collector,
Revenue (North),
Puducherry.
3. The Tasildhar cum Chairman,
Administrative Advisory Committee,
Department of Revenue and Disaster Management,
Taluk Office, Oulgaret,
Puducherry.
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Land Grab Cell,
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5. The Sub Registrar,
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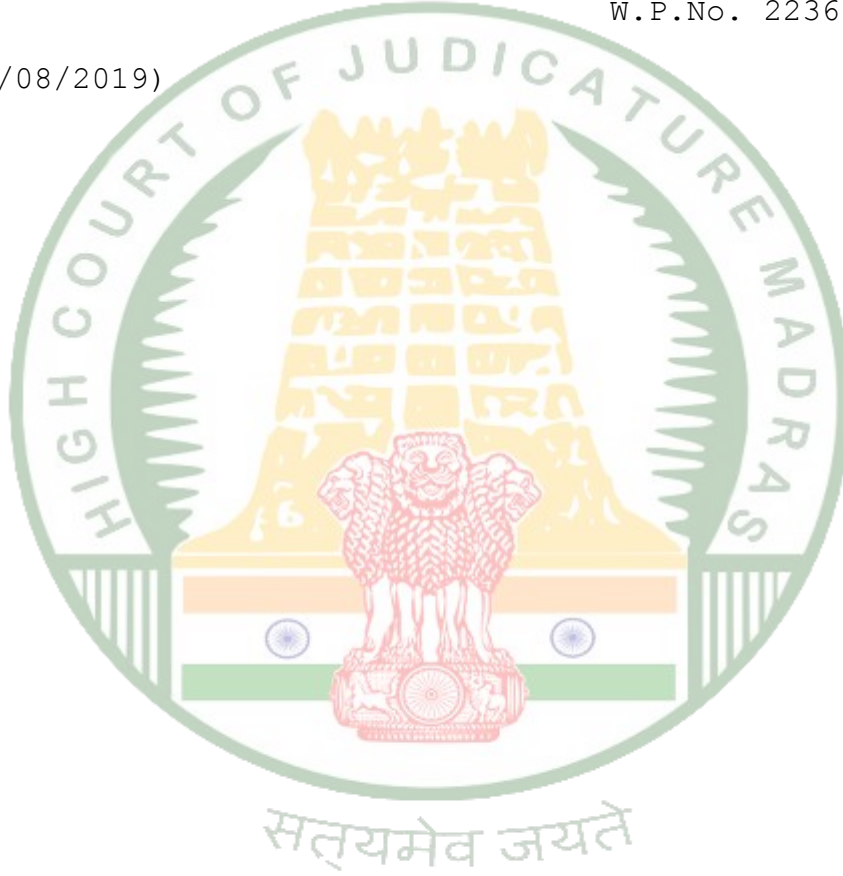
6. The Station House Officer,
Lawspet Police Station,
Puducherry.

+1cc to Mr.R. Rajarajan, Advocate SR.No. 64937

+1 cc to Government Pleader Sr.No. 65549

W.P.No. 22369 of 2019

A.SK(27/08/2019)



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