

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Wednesday, the Fourth day of September Two Thousand Nineteen

PRESENT

The Hon`ble Mr.Justice M.SUNDAR

WP (MD) No.19219 of 2019

M.THIAGARAJAN

... PETITIONER

Vs

1 THE DISTRICT COLLECTOR
THOOTHUKUDI DISTRICT,
THOOTHUKUDI

2 THE DISTRICT REVENUE OFFICER,
COLLECTORATE, THOOTHUKUDI DISTRICT,
THOOTHUKUDI

3 THE REVENUE DIVISIONAL OFFICER,
TIRUCHENDUR, THOOTHUKUDI DISTRICT.

4 THE TAHSILDAR
TALUK OFFICE, TIRUCHENDUR TALUK,
TIRUCHENDUR, THOOTHUKUDI DISTRICT.

... RESPONDENTS

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order Na.Ka.Aa1/1422/2019 dated 25.07.2019 passed by the 2nd respondent and quash the same as illegal and subsequently direct the 2nd and 3rd respondent to grant the patta to the petitioners land which situated in Survey No. 776/84.

ORDER : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.RAJIV RUFUS, Advocate for the petitioner and of MR.M.PANDIARAJAN, Additional Government Pleader on behalf of the Respondents, the court made the following order:-

Mr.V.Rajiv Rufus, learned counsel on record for writ petitioner is before this Court.

2.An order dated 25.07.2019 bearing Reference No.Na.Ka.Aa1/1422/2019 (hereinafter referred as 'impugned order' for brevity) made by the third respondent / Revenue Divisional Officer has been called in question.

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3.Vide impugned order, the third respondent has rejected the writ petitioner's request for grant of patta for land comprised in Survey No.776/84 in Sunganthalali Village, Varandivel Post, Tiruchendur, Thoothukudi District (hereinafter referred to as 'said land' for brevity).

4.The rejection, vide impugned order, is primarily on the ground that said land is a pathway.

5.Learned counsel for the writ petitioner, drawing the attention of this Court to Adangal dated 21.10.2004 and extract from relevant 'A' register dated 06.01.2017, submits that said land has been classified as vacant plot (Kaali manai).

6.Mr.M.Pandiarajan, learned Additional Government Pleader accepts notice on behalf of the respondents and seeks time to get instructions and respond.

7.List on **16.09.2019**.

sd/-
04/09/2019

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE DISTRICT COLLECTOR
THOOTHUKUDI DISTRICT, THOOTHUKUDI
- 2 THE DISTRICT REVENUE OFFICER,
COLLECTORATE, THOOTHUKUDI DISTRICT,
THOOTHUKUDI
- 3 THE REVENUE DIVISIONAL OFFICER,
TIRUCHENDUR, THOOTHUKUDI DISTRICT.
- 4 THE TAHSILDAR
TALUK OFFICE, TIRUCHENDUR TALUK,
TIRUCHENDUR, THOOTHUKUDI DISTRICT.

ORDER
IN
WP(MD) No.19219 of 2019
Date :04/09/2019

ps
PK/VR/SAR-2/09.09.2019 : 2P/5C

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