



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.10.2021

CORAM:

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.19859 of 2013
and M.P.No.1 of 2013

1.T.Mani

2.T.Gunasekaran

...Petitioners

Vs

1. The Revenue Divisional Officer,
Ponneri Division,
Ponneri - 601 204,
Tiruvallur District.

2. A.Ravi

3. A.Sekar

...Respondents

Prayer : Writ Petition has been filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the first respondent, proceedings Na.Ka.4275/2012/A3, dated 29.05.2013 and quash the same arbitrary, illegal and colourable exercise of power and consequently direct the first respondent to refer the matter to the Tahsildar, Gummidipoondi to consider and rectify the mistake regarding the extent mentioned in the Patta Nos.682 and 683 for the lands comprised in Survey No.71/1, extent of 0.32.5 hectare and Survey No.150/5, extent of 0.49.5, Melmudalambedu Village, Gummidipoondi Taluk, Tiruvallur District as per the provisions of the Tamil Nadu Patta Pass Book Act, 1983.

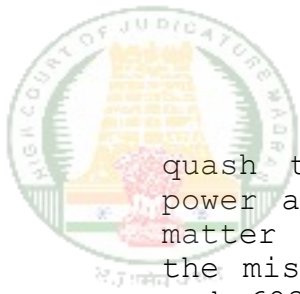
For Petitioners : Mr.R.Munuswamy

For Respondent 1 : Mr.Richardson Wilson,
Government Advocate

For Respondents : Mr.P.Arockiaya Raja
2 & 3

O R D E R

This writ petition has been filed to issue a Writ of Certiorarified Mandamus to call for the records of the first respondent, proceedings Na.Ka.4275/2012/A3, dated 29.05.2013 and



quash the same arbitrary, illegal and colourable exercise of power and consequently direct the first respondent to refer the matter to the Tahsildar, Gummidipoondi to consider and rectify the mistake regarding the extent mentioned in the Patta Nos.682 and 683 for the lands comprised in Survey No.71/1, extent of 0.32.5 hectare and Survey No.150/5, extent of 0.49.5, Melmudalambedu Village, Gummidipoondi Taluk, Tiruvallur District as per the provisions of the Tamil Nadu Patta Pass Book Act, 1983.

2. The case of the petitioners is that the petitioners are the absolute owner in possession and enjoyment of agricultural lands, comprised in Survey No.76/1, measuring extent of 0.20 acre out of the total extent of 0.80 acre (0.32.5 hectare) and in Survey No.150/5, measuring extent of 0.41 acres out of the total extent of 1.23 acres (0.49.5 hectare), situate at Melmudalambedu Village, Gummidipoondi Taluk, Tiruvallur District.

3. Challenging the order passed by the first respondent before this Court and also filed revision challenging the very same order before the District Revenue Officer, Tiruvallur District and it is pending. Therefore, the petitioners cannot maintained this writ petition parallelly.

4. It is made clear that till the disposal of the revision pending on the file of the District Revenue Officer, Tiruvallur, the petitioners and the counter parties are directed to maintain status-quo as on today in respect of the subject property.

5. However, the Divisional Authority namely District Revenue Officer, Tiruvallur is directed to dispose the revision filed by the petitioner as against the impugned order dated 29.05.2013 in Na.Ka.4275/2012/A3, after issuance of notice to the counter parties and after giving them opportunity of hearing on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order, if not already disposed of.

6. With the above directions, this writ petition is disposed of. No order as to costs. Consequently, the connected M.P.No.1 of 2013 is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



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The Revenue Divisional Officer,
Ponneri Division,
Ponneri - 601 204,
Tiruvallur District.

Copy to

The District Revenue Officer,
Tiruvallur.

+lcc to Mr.R.Munuswamy, Advocate, S.R.No.54178
+lcc to the Government Pleader, S.R.No.54638

W.P.No.19859 of 2013
and M.P.No.1 of 2013

GSM[co]
NSK 02/11/2021