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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.20959 of 2021

A.Ramalingam

...Petitioner

-Vs-

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Revenue Divisional Officer,
Cuddalore, Cuddalore District.
3. The Revenue Thasildar,
Panruti Taluk,
Cuddalore District.

...Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the third respondent relating to the order in Na.Ka.No.A1/1419/2020, dated 08.03.2021, to quash the same and to issue consequential direction to the respondents to grant of patta in respect of land in S.No.147, Manamthavizhuthaputhur Village, Panruti Taluk, Cuddalore District.

For Petitioner : Mr.D.Raja

For Respondents : Mr.Yogesh Kannadasan
Government Advocate.

ORDER

This Writ Petition has been filed for the issuance of a Writ of Certiorarified Mandamus, calling for the records of the third respondent relating to the order in Na.Ka.No.A1/1419/2020, dated 08.03.2021, to quash the same and to issue consequential direction to the respondents to grant of patta in respect of land in Survey No.147, Manamthavizhuthaputhur Village, Panruti Taluk, Cuddalore District.



2. Heard Mr.D.Raja, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Government Advocate appearing for the respondents.

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3. The case of the petitioner is that the property comprised in Survey No. 147, ad-measuring 0.69.50 hectares situated at Manamthavizhuthaputhur Village, Panruti Taluk, Cuddalore District is in possession and enjoyment of the petitioner for the past 45 years. It is classified as "Thopu Poramboke" in the village revenue records. The petitioner also dug up a bore well for irrigation purpose and installed electric motor pump in the said land after obtaining electricity service connection.

4. Further, the petitioner submitted a representation before the first respondent for assignment of the subject land. Thereafter, the petitioner submitted another representation in the year 1989 and keep on making representation till 14.09.2020. Therefore, the petitioner was constrained to file a writ petition before this Court in W.P.No.19805 of 2020 and this Court by an order, dated 04.01.2021, directed the third respondent to consider the request of the petitioner on merits and in accordance with law. As directed by this Court, the third respondent conducted an enquiry and rejected the request made by the petitioner.

5. A perusal of the records revealed that the petitioner's request dated 13.09.1985 was rejected by an order, dated 01.10.1985, Letter No.O.M.11675/85 for the reason that the subject land comprised in Survey No. 147, ad-measuring 0.69.50 hectares situated at Manamthavizhuthaputhur Village, Panruti Taluk, Cuddalore District is classified as "Thopu Poramboke".

6. There is also an objection for the assignment of the said land. Thereafter, suppressing the said fact, again the petitioner made a representation for the very same relief of assignment of the subject property in his favour. That apart, there is an objection by one Jayaprakash son of Arumugam in the same village for assignment of land in favour of the petitioner. The subject property is situated adjacent to the Main Road and it would be used for public purposes in future.

7. Therefore, the third respondent rightly rejected the request made by the petitioner and this Court finds no infirmity or illegality in the order passed by the third respondent and the writ petition is devoid of merits and liable to be dismissed.



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8. Accordingly, this writ petition stands dismissed.
There shall be no order as to costs.

Sd/-
Assistant Registrar

True Copy//

Sub Assistant Registrar

Mn

To

1. The District Collector,
Cuddalore District,
Cuddalore.
2. The Revenue Divisional Officer,
Cuddalore, Cuddalore District.
3. The Revenue Thasildar,
Panruti Taluk,
Cuddalore District.

+1cc to the Government Pleader, S.R.No.57855

W.P.No.20959 of 2021

PM[co]
NSK 29/11/2021