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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 4.8.2021.

CORAM

THE HON'BLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.No.29609 of 2019

N.Raja

... Petitioner

vs.

1. The Collector,
Cuddalore District,
Gundu Salai Road,
Penniyar Road, Manjakuppam,
Cuddalore 607 001.
2. The District Revenue Officer,
Cuddalore District,
Gundu Salai Road,
Penniyar Road, Manjakuppam,
Cuddalore 607 001.
3. The Commissioner,
Chidambaram Municipality,
No.2, Cutchery Street,
Chidambaram, Cuddalore 608 001.
4. The Tahsildar,
Chidambaram Municipality,
No.2, Cutchery Street,
Chidambaram, Cuddalore 608 001.
5. The Village Administrative Officer,
Chidambaram Municipality,
No.2, Cutchery Street,
Chidambaram, Cuddalore 608 001.
6. The Revenue Officer,
Chidambaram Municipality,
No.2, Cutchery Street,
Chidambaram, Cuddalore 608 001.
7. The Town Planning Officer,
Chidambaram Municipality,
No.2, Cutchery Street,
Chidambaram, Cuddalore 608 001.



8. The Inspector General of Registration,
Santhome,
Mylapore, Chennai.

9. The Sub Registrar,
Chidambaram.

10. R.Muthukumaran

11. M.Mythili

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking to issue a writ of mandamus directing the respondents to consider the petitioner's representation dated 3.1.2019 to restore the Government land bearing Survey Field No.805 and cancel the settlement deed 3.9.2009 registered as Doc.No.4422/2009 and Rectification deed dated 29.7.2010 registered as Doc.No.4698/2010 and cancel the Taxation bearing No.14507 standing in favour of the 11th respondent herein.

For Petitioner : Mr.G.Mohanakrishnan

For R1, R2 &
R4 to R9 : Mr.K.M.D.Muhilan,
Government Advocate

For R3 : Mr.P.Srinivas

For R10 & R11 : Mr.J.Titus Knock

ORDER

The writ petition has been filed seeking a writ of mandamus and direction to the respondent viz., Collector and all other officials in Chidambaram including the Tahsildar, Chidambaram Municipality to consider his representation dated 3.1.2019 and restore the Government land bearing Survey Field No.805 and cancel the settlement deed dated 3.9.2009 registered as document No.4422/2009 and the rectification deed dated 29.7.2010 registered as document No.4698/2010 standing in favour of the 11th respondent.

2. Notice had been directed to 10th and 11th respondent and a learned counsel has also entered appearance. It is represented by the learned counsel, who appears on behalf of 10th and 11th respondent that the mother of the writ petitioner had filed O.S.No.256 of 2011 before the District Munsif Court, Chidambaram and the 10th respondent herein had filed O.S.No.186 of 2013 and judgment had been passed in both the suits on 22.8.2017 decreeing the suit in O.S.No.186 of 2013 and



dismissing the suit in O.S.No.256 of 2011. It is further stated that questioning that judgment, A.S.Nos.19 of 2019 and 202 of 2019 are also pending on the file of the II Additional, District Court, Chidambaram.

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3. It is the contention of the learned counsel for the writ petitioner that he is not a party to the said civil proceedings, however his mother is a party.

4. The learned Government Advocate brought to the notice of the court that the Tahsildar, Chidambaram had passed orders in O.Mu.(A9)/2247/2019 dated 7.11.2019 wherein it had been clearly stated that with respect to the lands in question viz., the lands in S.No.805 measuring 0.381 sqft in Ward No.4, Block No.10, patta cannot be granted and such order had already been communicated to the petitioner herein.

4. In view of these facts, it is open to the petitioner to question the said order of the Tahsildar in the manner known to law. No further orders will be required. The writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

ssk.

To

1. The Collector,
Cuddalore District,
Gundu Salai Road,
Penniyar Road, Manjakuppam,
Cuddalore 607 001.
2. The District Revenue Officer,
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4. The Tahsildar,
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8. The Inspector General of Registration,
Santhome,
Mylapore, Chennai.
9. The Sub Registrar,
Chidambaram.

+1cc to Mr.J.Titus Knock, Advocate, S.R.No.37949
+1cc to the Government Pleader, S.R.No.38853

W.P.No.29609 of 2019

RSI (CO)
HS (25/08/2021)