



W.P.No.21404 of 2013

**M.DHANDAPANI, J.**

The matter is listed today i.e.28.04.2022 under the caption “for being mentioned”, at the instance of the learned counsel for the petitioner.

2. The learned counsel for the petitioner submitted that this Court, by an order dated 07.04.2022, has disposed of the writ Petition and there is an typographical error available in prayer portion and in the 3<sup>rd</sup> paragraph as 2 Acres instead of the "2 Ares". Likewise, in the 3<sup>rd</sup> para of the order portion, it is mentioned as 07.06.2013 instead of 15.04.2013 and further, in the 5<sup>th</sup> para, it is mentioned as O.S.No.38 of 2013 and it has to be typed as O.S.No.858 of 2013. Therefore, the learned counsel prays to make necessary corrections and to issue fresh order copy.

3. In view of the above submission made by the learned counsel for the petitioner, this Court is inclined to modify the same in the order dated 07.04.2022 as follows:

**"Prayer :** *Writ Petition filed under Article 226 of the*



WEB COPY

*Constitution of India for issuance of a Writ of Mandamus, directing the first and second respondents take appropriate steps against the land Grabbers third and fourth respondents and handover the property as item “B” property Pondicherry State, Puducherry, Puducherry Muncipal Limit Pudupalayam Revenue Village 37, Palathu Street, Ward-G; Block-7; Cadastre No.238 Town Survey No.85 extents 2 Ares 60 Centiares Vacant Land to the petitioner.*

*For Petitioner : Mr.J.Ganessin (party-in-person)*

*For RR1 and R2 : Mr.G.D.Jearany  
Government Advocate (Pondicherry)*

*For R3 & R4 : Ms.P.Saritha.*

### **ORDER**

*This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the first and second respondents take appropriate steps against the land Grabbers third and fourth respondents and handover the property as item “B” property Pondicherry State, Puducherry, Puducherry Muncipal Limit Pudupalayam Revenue Village 37, Palathu Street, Ward-G; Block-7; Cadastre No.238 Town Survey No.85 extents 2 Ares 60 Centiares Vacant Land to the petitioner.*

*2. ....*

*3. The case of the petitioner is that the petitioner is claimed to be the owner of the property comprised as item “B” property Pondicherry State, Puducherry, Puducherry Muncipal Limit*



*Pudupalayam Revenue Village 37, Palathu Street, Ward-G; Block-7; Cadastre No.238 Town Survey No.85 extents 2 Ares 60 Centiares Vacant Land to the petitioner. The said property was inherited by his grand father through his father. It is alleged that all of a sudden, the third and fourth respondents had entered into the property with the help of one Kumar alias Raghavan, who is Ex.MLA. Thereafter, the petitioner had given a representation to the first respondent / The Deputy Collector on 15.04.2013. However, till date no orders have been passed. Hence, this writ petition is filed with the above said prayer.*

*4. ....*

*5. The learned Government Advocate appearing on behalf of the official respondents submitted that as per the G.O.M.S.No.38, dated 23.11.1998, the Pondicherry Government formed a special cell for receiving complaint and dispose of the matters relating to land grabbing. He further submitted that for the very same dispute the petitioner has already filed a suit in O.S.No.858 of 2013, on the file of Principal District Munsif, Pondicherry. However, suppressing the same, filing this Writ Petition is not sustainable. Hence, the prayer sought for in this petition cannot be granted. However, the respondent counsel has no objection for referring the matter to the Special Cell."*



WEB COPY



**M.DHANDAPANI, J.**

rli

4. Except the above modification, remaining portion of the order dated 07.04.2022 shall stand unaltered.

28.04.2022

rli

Note: Registry is directed to issue a fresh order copy after making necessary corrections.

W.P.No.21404 of 2013