



W.P. No. 23458 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.09.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P. No.23458 of 2022

A.Govindharaj

... Petitioner

Versus

1. The Additional Chief Secretary
Commissioner of Land Administration
Secretariat, Chepauk
Chennai - 600 005.

2. The District Revenue Officer
Office of the District Collector
Thiruvallur
Thiruvallur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned notice of the second respondent, dated 23.06.2022 in Na.Ka.No.14365/No.2 and quash the impugned notice and consequently to direct the second respondent to issue patta to the petitioner in respect of the land comprised in Survey No.1/3 for the extent of 2.86 acres situated at Puliur Village after deleting the wrong entry in the Revenue Records.



W.P. No. 23458 of 2022

For Petitioner : Mr.V. Nithyanandam
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The writ petition is filed challenging the impugned order in Na.Ka.No.14365/2022/No.2, dated 23.06.2022 passed by the second respondent/District Revenue Officer, quash the same and for consequential direction to the second respondent for issuance of Patta to the petitioner in respect of the land comprised in Survey No.1/3 measuring an extent of 2.86 acres situated at Puliyur Village after deleting the wrong entry in the Revenue Records.

2. According to the petitioner, he is the owner of the property comprised in Survey No.1/3 measuring an extent of 2.86 acres situated at Puliyur Village, and the same was registered by way of sale deed vide Document No.3431 of 1981 on the file of Sub-Registrar Office, Thiruvallur and he has been in possession and enjoyment of the property. While that being the case, the petitioner has approached the jurisdictional Tahsildar

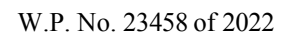


W.P. No. 23458 of 2022

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for issuance of Patta in favour of him. Subsequently, he came to know that the property has been wrongly classified as "Anadeenam land" and the same was assessed in the Revenue Records. Thereafter, the petitioner filed WP.No.8486 of 2016 before this Court for issuance of patta and the same was dismissed on 26.09.2019 by giving liberty to the petitioner to workout his remedy before the appropriate forum in the manner known to law. Pursuant to the same, the petitioner filed WP.No.6842/2022 before this Court and the same was disposed of on 25.03.2022 by directing the second respondent/District Revenue Officer to consider the representation of the petitioner, dated 14.02.2022, which resulted in the passing of the impugned order. Challenging the impugned order in Na.Ka.No.14365/2022/No.2, dated 23.06.2022 passed by the second respondent/District Revenue Officer, the present writ petition is filed.

3. Though very many grounds have been raised, the learned counsel for the petitioner submitted that it would suffice if this Court, grants liberty to the petitioner to file suit before the Competent Civil Court and subject to the outcome of the suit, the petitioner may be permitted to work out his remedy in accordance with law.



5. In view of the aforesaid submissions made by the learned counsel on either side, without expressing any opinion on the merits of the case, this Court, grants liberty to the petitioner to file suit before the Competent Civil Court and subject to the outcome of the suit, the petitioner is permitted to work out his remedy in accordance with law.

08.09.2022

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W.P. No. 23458 of 2022

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To

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M.DHANDAPANI, J.

msm

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