



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 11.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P. No.26195 of 2021
and WMP.Nos.27647 and 27645 of 2021

K.Dharmalingam

.. Petitioner

Versus

1. The District Collector,
Perambalur District,
Perambalur.
2. The Revenue Divisional Officer,
Perambalur.
3. The Revenue Tahsildar,
Veppanthattai Taluk,
Veppanthattai,
Perambalur District.
4. The Block Development Officer (VP),
Veppanthattai,
Perambalur District.
5. Chinnaponnu

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus, orders proceedings of the third respondent in Pro.Na.Ka.No.A1/5062/2021, dated 09.11.2021, to quash the same insofar as it relates to the petitioner in portion of the Adi Dravidar Natham land in Survey No.206/3(1.62.0 Hectares) and direct the respondent 1 to 4 to desist from interfering with the peaceful possession and enjoyment of the Adi Dravidar Natham of the petitioner and consequently, direct the respondents to issue patta for the land in Survey No.206/3(1.62.0 Hectares).



For petitioner : Mr.T.Dharani
For respondents
for R1 to R3 : Mr.R.Siddharth
for R4 : Mr.K.V.Sajeev Kumar

WEB COPY

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

The Writ Petition is heard through video conferencing.

2. The present Writ Petition has been filed challenging the proceedings of the third respondent, in Pro.Na.Ka.No.A1/5062/2021 dated 09.11.2021, wherein the fourth respondent was directed to take action pursuant to the order passed in W.P.No.14149/20 21, dated 09.07.2021.

3. The learned counsel appearing for the petitioner Mr.T.Dharani, urged that the land in dispute has been classified as Adi Dravidar Natham land, hence, the Revenue Officials have no authority to issue the impugned order. In this regard, the learned counsel relied upon the order of this Court in WP.No.18754 of 2005, dated 04.11.2013.

4. Per contra, the learned Government Advocate appearing for the respondents 1 to 3 Mr.R.Siddharth would submit that the order impugned in this Writ Petition is a communication of the Tahsildar to the Block Development Officer. It is also stated that the fourth respondent would scrupulously follow the direction issued in W.P.No.14149/20 21, dated 09.07.2021 while evicting the petitioner.

5. In the light of the submissions of the learned Government Advocate appearing for the respondents 1 to 3, we are of the considered opinion that this Writ Petition is pre-mature and if the petitioner is aggrieved by the action of the fourth respondent, he is at liberty to seek further remedy in accordance with law. It is made clear that the official respondents shall afford ample opportunity to the petitioner during enquiry.

6. With the above observation and direction, the Writ Petition is closed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar (CS-CCC)

//True copy//

Sub Assistant Registrar



pvs

To

1. The District Collector,
Perambalur District,
Perambalur.
2. The Revenue Divisional Officer,
Perambalur.
3. The Revenue Tahsildar,
Veppanthattai Taluk,
Veppanthattai,
Perambalur District.
4. The Block Development Officer (VP),
Veppanthattai,
Perambalur District.

+1cc to Mr.T.Dharani, Advocate SR.No.2440

+1cc to Government Pleader SR.No.2990, 3110

W.P. No.26195 of 2021

PL(CO)
GMY(08/02/2022)