



W.P(MD)No.10933 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.07.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10933 of 2014

N.Alagan

... Petitioner

Vs.

1.The Assistant Settlement Officer (South),
Office of Principal Secretary / Commissioner,
(Land Survey and Land Tax),
Survey Illam, 3rd Floor,
Chepauk, Chennai – 5.

2.RM.Alamelu Achi

3.RM.Chidambaram

4.RM.Vairavan

5.Nalini

6.Udaiyal @ Thoniprathamabal

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order dated 13.6.2008 made in S.R.10/2002 (A-1) and the consequential order in Na.Ka.A1/4437/2012 dated 06.09.2012, passed by the 1st respondent, quash the same and



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further direct the 1st respondent quash the same and further direct the 1st respondent to reopen the enquiry in his proceedings in S.R.10/Dev/2002 and conclude the same.

For Petitioner : No appearance

For Respondents : Mr.D.Gandhiraj,
Spl. Government Pleader for R1.
Mr.M.Mithudan for R4.
No appearance for R2, R3, R5 & R6.

ORDER

None appears for the petitioner. The matter is posted under the caption “for dismissal”.

2.The learned counsel for the contesting respondent submits that aggrieved by the grant of patta in favour of the contesting respondents, Chinnathambi and 34 others filed appeal before the first respondent. The first respondent vide order dated 13.06.2008 set aside the earlier order granting patta in favour of the private respondents and treated the lands as “held over lands”. The aggrieved parties were given three months



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time to move the Inam Abolition Tribunal, Sivagangai. Challenging the same, the present writ petition came to be filed.

3.These are not matters that can be enquired into in writ proceedings. The petitioner had an effective appeal remedy under Inam Abolition Laws. In the alternative, he could have filed civil suit for enforcing his pre-existing rights. The order impugned in this writ petition does not call interference.

4.Leaving open all other rights and remedies available to the writ petitioner, this writ petition is dismissed. No costs.

06.07.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:-

The Assistant Settlement Officer (South),
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(Land Survey and Land Tax),
Survey Illam, 3rd Floor,
Chepauk, Chennai – 5.

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