



W.P.(MD) No.28088 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.11.2023

CORAM:

**THE HONOURABLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE
and
THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN**

W.P.(MD) No.28088 of 2023

and

W.M.P.(MD) No.24176 of 2023

Palanivel

... Petitioner

-vs-

1.The Inspector General of Registration
Tamil Nadu
100, Santhome High Road
Raja Annamalaipuram
Chennai-28

2.The Sub Registrar Joint-I
Thanjavur

3.Rajendran

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the second respondent not to register any deeds in respect of the Government Lands in Survey Nos.210/1A and 210/1C or any other subdivisions made if any to the extent of 2.37.0 Hectares, Nanjikottai Village, Thanjavur Taluk.



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For Petitioner : Mr.T.Augustine Ebenezer

For Respondents : Mr.P.Thilakkumar
Government Pleader for R1 & R2

ORDER

[Order of the Court was made by The Hon'ble CHIEF JUSTICE]

We have heard Mr.T.Augustine Ebenezer, learned counsel for the petitioner and Mr.P.Thilakkumar, learned Government Pleader, for the respondents 1 & 2.

2. The present public interest litigation is filed seeking a direction against the second respondent from registering the document in respect of the land Survey Nos.210/1A and 210/1C, to the extent of 2.37.0 Hectares. The matter is filed in public interest.

3. Learned counsel for the petitioner submits that the subject land is a Government land. Patta has wrongly been issued in favour of the third respondent. Now, the third respondent is trying to deal with the said property. The same may not be permitted. It is submitted that another writ petition is pending before this Court regarding the same issue.



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4. If another writ petition is pending in respect of the same issue, then the petitioner ought not to have filed the present writ petition in the nature of public interest litigation. Moreover, according to the petitioner, the patta is already issued in favour of the third respondent. In case, the patta is wrongly issued, then the remedy exists to challenge the same under the Tamil Nadu Patta Passbook Act, 1983. The aggrieved person can resort to the said remedy, as may be permissible.

5. With this observation, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

[S.V.G., .C.J.]

[K.K.R.K., J.]

29.11.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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