



W.P.No. 4935 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 4935 of 2024

and

W.M.P.No.5413 of 2024

S.Egambaram

... Petitioner

versus

1.The Secretary to Government for
(Revenue) – cum - Revision Authority,
Department of Revenue and
Disaster Management, Puducherry.

2.The Director of Settlement,
Directorate of Survey and Land Records,
Government of Puducherry,
Puducherry.

3.Settlement Officer-II,
Directorate of Survey and Land Records,
Government of Puducherry,
Puducherry.

.....Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records of the second respondent with No.08/2020 dated 24.02.2023 and the order of the

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first respondent with No.3373/DRDM/C2/RP/2023/6952 dated 08.12.2023 and to quash the same and consequentially to direct the respondents to correct the classification of land in the settlement records in respect of land with Cad.No.150 Bis (II Rol of the French records) now with R.S. No.54/2 and 54/3 as Patta Land and consequently to grant Patta to the petitioner on the property with R.S.No.54/2 and 54/3 Cad.No.150 Bis (in Rol).

For Petitioner : Mr.V.Ajayakumar

For Respondents : Mr.Ramasamy Meyyappan
Government Advocate (Pondicherry)

ORDER

Mr.Ramasamy Meyyappan, learned Government Advocate (Pondicherry) accepts notice for the respondents. With the consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed to quash the impugned order dated 24.02.2023 bearing Reference No.08/2020 passed by the second respondent, which was confirmed by the first respondent vide order No.3373/DRDM/C2/RP/ 2023/6952, dated 08.12.2023 and consequently, to direct the



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respondents to correct the classification of land in the settlement records in respect of land with Cad.No.150 Bis (II Rol of the French records), now with R.S. No.54/2 and 54/3 as Patta Land and grant Patta in the name of the petitioner.

3. The learned counsel for the petitioner submitted that the father of the petitioner has purchased the property in R.S.Nos.54/2 and 54/3, Cad No.150 Bis in Thuthipet Revenue Villianur Taluk in the year 1947 itself. The said land has been shown only as a private land and the officials also admitted that it is only a private land. However, without considering the same, the respondents 1 and 2 have passed the impugned orders stating that it is a "Poromboke" land.

4. The learned Government Advocate (Pondicherry) appearing for the respondents submitted that as per Section 23 of the Pondicherry Settlement Act and Section 12 of the Puducherry Survey and Boundaries of Act, the aggrieved party can approach the Civil Court for appropriate remedy.

5. Heard both sides and perused the materials available on record.

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6. Since the petitioner has got an efficacious alternative remedy under Section 23 of the Pondicherry Settlement Act and Section 12 of the Puducherry Survey and Boundaries of Pondicherry Act, he can very well approach the Civil Court for appropriate remedy.

7. In view of the above, the writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

28.02.2024

Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
ms

To

1.The Secretary to Government for

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(Revenue) – cum - Revision Authority,
Department of Revenue and
Disaster Management, Puducherry.

2.The Director of Settlement,
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Government of Puducherry,
Puducherry.

3.The Settlement Officer-II,
Directorate of Survey and Land Records,
Government of Puducherry,
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