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W.P. No.7359 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.7359 of 2024

A.Mohamed Musthafa

... Petitioner

Vs.

1. The District Collector

Cuddalore

Cuddalore District - 607 001

2. The District Revenue Officer

Sub Collector and RDO Office

Vridhachalam Main Road

Vridhachalam- 606 001

3. The Tahsildar

Vridhachalam Taluk Office

Vridhachalam Taluk

Cuddalore District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to inspect the Mulla Pond based on the representation dated 05.02.2024 of the petitioner, to inspect the said land comprising S.No.204 of the 'A' Register and OSR of the year 1892 (classified as "Thoppu") and the year 1932 'A' Register of



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the said land (classified as "Mulla Lake/Eri") and change the classification as "Tharisu Land" and issue a patta to the petitioner's land within a stipulated time.

For Petitioner : M/s.T.Nithya
for Mr.R.Vimal
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the respondents to inspect the Mulla Pond based on the petitioner's representation dated 05.02.2024, to inspect the said land comprising S.No.204 of the 'A' Register and OSR of the year 1892 (classified as "Thoppu") and the year 1932 'A' Register of the said land (classified as "Mulla Lake/Eri") and change the classification as "Tharisu Land" and issue a patta to the petitioner's land within a stipulated time.

2. Mr.T.Arun Kumar, learned Additional Government Pleader takes notice for the respondents.

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



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4. The petitioner seeks Patta for the subject land by changing its classification as Tharisu whereas, the petitioner himself has stated in his affidavit that the subject land is classified as Mulla Lake. Therefore, the petitioner is not entitled to the relief sought for.

5. If the petitioner wants to establish the title of the predecessor in title, the petitioner has to approach the Civil Court and not the Writ Court. The Writ Court cannot conduct a roving enquiry and cannot go into the depth of the title. The Civil Court is the competent forum to decide the title.

6. Accordingly, this Writ Petition is dismissed at the admission stage itself. No costs.

7. However, the petitioner is at liberty to work out his remedy before the Civil Court.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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Cuddalore District - 607 001
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P.VELMURUGAN. J.

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