



W.P(MD)No.12798 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.01.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.12798 of 2020

and

W.M.P.(MD)No.10862 of 2020

C.Nachiappan

... Petitioner

Vs.

1.The District Collector,
Sivagangai District.

2.The District Revenue Officer,
Sivagangai.

3.The Tahsildar,
Karaikudi Taluk,
Sivagangai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order dated 26/03/2020 in O.M.C2/5070/2020 of the 1st Respondent and the order dated 01/10/2019 in Na./C2/9916/2018 of the 2nd Respondent herein , quash the same and consequently, direct the respondents to grant patta in favour of the petitioner in respect of their lands of an extent of 0.60.50 hectares in Survey No. 217/2 and 0.20.50 hectares in Survey No. 217/6 , Royakottai Village , Karaikudi Taluk, Sivagangai District.



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For Petitioner : Mr.C.Mahadevan

For Respondents : Mr.M.Lingadurai
Special Government Pleader for R1 to R3

ORDER

Heard both sides.

2. The petition mentioned land has been classified as “கைப்பற்றில்லாதது”. It has been classified as sarkar poromboke also. The petitioner seeks patta in respect of the same. His request was rejected. The petitioner challenges the rejection order on the strength of the title deed of the year 1923.

3. When the matter was taken up for hearing, the learned Special Government Pleader pointed out that the petitioner has already filed O.S.No.56 of 2023 on the file of the District Munsif Court, Karaikudi seeking the relief of declaration and injunction. The petitioner is permitted to pursue his remedy in the pending suit. The impugned order will abide by the outcome of the suit. I make it clear that I have not gone into the merits of the matter. All the contentions of the petitioner are left open.



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4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

11.01.2024

Index : Yes / No

Internet : Yes/ No

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To

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G.R.SWAMINATHAN, J.

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