



W.P(MD)No.16858 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16858 of 2024

and

W.M.P.(MD)Nos.14525 and 14526 of 2024

S.John Britto

... Petitioner

Vs.

1.The Commissioner of Land Administration,
Ezhilagam, Chepauk, Chennai - 600 005.

2.The District Collector,
Theni District, Theni.

3.The District Revenue Officer,
District Collectorate,
Theni District.

4.The Revenue Divisional Officer,
Thamaraikulam, Periyakulam,
Theni District.

5.The District Registrar,
Periyakulam,
Theni District.

6.The Sub Registrar,
Sub-Registrar Office,
Theni.

... 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



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records pertaining to the impugned order passed by the 3rd respondent in Na.Ka.No.12605/2009/Aa1, dated 20.10.2014, quash the same insofar as the petitioner's land in S.No.748/3 to an extent of 2598.75 sq.ft., situated at Koduvilarpatti Village, Theni District is concerned and consequently forbearing the 4th respondent from cancelling the assignment and resuming the petitioner's land.

For Petitioner : Mr.P.Saravanakumar

For Respondents : Mrs.D.Farjana Ghoushia,
Spl. Government Pleader.

ORDER

When the matter was taken up for hearing, the learned counsel for the petitioner submitted that he will not press the second part of the writ prayer and that he will file a fresh writ petition, as and when the cause of action arises. This liberty is granted.

2.The petitioner questions the impugned communication dated 20.10.2014 issued by the District Revenue Officer, Theni to the District Registrar, Periyakulam. It has already been held that the revenue authority cannot call upon the registering authority not to register any document. That would be beyond the jurisdiction of the District Revenue Officer. This communication had already been quashed vide order dated 30.09.2022 in



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W.P.(MD)No.20334 of 2015 (C.Muniandi Vs. Inspector of General of Registration). The impugned communication is quashed. The writ petition is partly allowed. No costs. Consequently, connected miscellaneous petitions are closed.

24.07.2024

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

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- 4.The Revenue Divisional Officer,
Thamaraikulam, Periyakulam,
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- 5.The District Registrar,
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G.R.SWAMINATHAN, J.

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