



W.P.(MD) No.7714 of 2018

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.09.2024

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

**W.P.(MD) No.7714 of 2018
and
W.M.P.(MD) Nos.7329 and 8341 of 2018**

A.M.K.Ahamed

... Petitioner

/vs./

1.The Additional Chief Secretary,
Commissioner of Land Administration,
O/o. the Commissioner of Land Administration,
Chepauk, Chennai -5.

2.The District Collector,
Thanjavur District,
Thanjavur.

3.The District Revenue Officer,
Thanjavur District,
Thanjavur.

4.The Tahsildar,
Pattukottai Taluk,
Thanjavur District.

... Respondents



W.P.(MD) No.7714 of 2018

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, to call for the records pertaining to the Impugned Notice in Lr.No.K1/2630/2000 dated 09.03.2018 on the file of the Respondent No.1 and quash the same as illegal.

For Petitioner : Mr.S.Rajasekar

For Respondents : Mr.P.Thambidurai
Government Advocate

ORDER

The petitioner seeks to quash the impugned order dated 09.03.2018 on the ground that there is a suit for permanent injunction in O.S.No.4 of 2004 filed by the petitioner and his wife, apart from two suits, O.S.Nos.231 and 387 of 2004 filed by Ahamed Anus and legal heirs of Asaraf respectively against the petitioner and his wife seeking recovery. The three suits were tried together and a finding has been given that the property bearing S.No.235/2 measuring an extent of 20 acres belonged absolutely to the Government and granted recovery of possession, against which the petitioner has filed appeals in A.S.Nos.47 and 48 of 2012 before the Sub Court, Pattukottai. The said Ahamed and others have filed a writ petition in W.P.No.33935 of 2004 seeking patta in respect of the very same property and the request was turned down.



WEB COPY

W.P.(MD) No.7714 of 2018

2. It is also seen that the petitioner herein had filed W.P.No.36722 of 2003 challenging the order passed by the District Collector dated 05.10.2003, in and by which the petitioner's request for grant of long term lease had been rejected. This application had been made by the petitioner in the year 2000. This Court, by order dated 17.07.2017, was pleased to dismiss the writ petition and direct the respondents to remove the petitioner from the site and to submit an action taken report. Despite such an order, the notice dated 05.01.2018 had originally been issued by the first respondent for an enquiry based on the petitioner's petitions dated 10.01.2000, 16.10.2002 and 08.01.2018.

3. The notice that is now sought to be quashed is the notice intimating the parties that the hearing on 08.03.2018 has been adjourned. Already, this Court in its order dated 17.07.2017 in W.P.(MD) No.36722 of 2003 had directed the respondents to take possession of the property, despite which a notice for enquiry has been issued. Therefore, there is no merit in this writ petition and the same appears to be an attempt to get over the orders passed by this Court.



W.P.(MD) No.7714 of 2018

WEB COPY

4. Therefore, the Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous Petitions are closed.

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

25.09.2024

mm

To

- 1.The Additional Chief Secretary,
Commissioner of Land Administration,
O/o. the Commissioner of Land Administration,
Chepauk, Chennai -5.
- 2.The District Collector,
Thanjavur District,
Thanjavur.
- 3.The District Revenue Officer,
Thanjavur District,
Thanjavur.
- 4.The Tahsildar,
Pattukottai Taluk,
Thanjavur District.



WEB COPY



W.P.(MD) No.7714 of 2018

P.T.ASHA, J.

mm

W.P.(MD) No.7714 of 2018

25.09.2024