



W.A.(MD).No.2199 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.10.2024

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

**W.A.(MD).No.2199 of 2024
and
C.M.P.(MD)Nos.15443 to 15445 of 2024**

S.I.Basheer Ahamed

... Appellant

-VS-

- 1.The Commissioner of Land Administration,
Office of the Land Administration,
Chepauk,
Chennai – 600 054.
- 2.The Commissioner of,
Survey and Settlement,
Survey House,
Chepauk,
Chennai – 600 005.
- 3.The Divisional Engineer/Central,
Ponmalai Railway Estate,
Southern Railway,
Tiruchirapalli Division,
Tiruchirapalli District.
- 4.The Assistant Settlement Officer,
Chepauk (North),
O/o, Commissioner of Survey,
and Settlement, Survey House,
Chennai – 600 005.



W.A.(MD).No.2199 of 2024

5.The Tahsildar,
Tahsildar Office,
Tiruchirappalli East,
Town Hall Road,
Tiruchirapalli District.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act, against the order passed by this Court in W.P.(MD)No.22465 of 2022, dated 16.08.2024.

For Appellant	: Mr.R.Senthilkumar
For Respondents	: Mr.S.R.A.Ramachandran, Additional Government Pleader

JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

Mr.S.R.A.Ramachandran, learned counsel takes notice for the respondents.

2.While dismissing the Writ Petition filed by the petitioner, seeking to establish his title over certain property, the Writ Court has held that the appropriate remedy for this petitioner to approach competent civil Court. The challenge in the Writ Petition was to the order passed by the Commissioner Land Administration, dated 26.08.2022. The claim of the petitioner for grant of patta was rejected and the title of the Railways was upheld. The petitioner claims on the recommendation of Assistant Settlement Officer in the year 2001 whereas the record shows that the land was acquired for the purpose of Railways even as early as in the year 1926.



W.A.(MD).No.2199 of 2024

The Writ Court has held that these issues cannot be gone into proceedings under Article 226 of Constitution of India.

3.We see no reason to interfere with the conclusion of the Writ Court. Hence, the Writ Appeal is dismissed. If the petitioner claims better title, it is always open to the petitioner to approach competent civil Court. No Costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.] [L.V.G., J.]
28.10.2024

NCC :Yes/No
Index :Yes/No
Internet: Yes
Mrn



W.A.(MD).No.2199 of 2024

WEB COPY

To

- 1.The Commissioner of Land Administration,
Office of the Land Administration,
Chepauk,
Chennai – 600 054.
- 2.The Commissioner of,
Survey and Settlement,
Survey House,
Chepauk,
Chennai – 600 005.
- 3.The Divisional Engineer/Central,
Ponmalai Railway Estate,
Southern Railway,
Tiruchirapalli Division,
Tiruchirapalli District.
- 4.The Assistant Settlement Officer,
Chepauk (North),
O/o, Commissioner of Survey,
and Settlement, Survey House,
Chennai – 600 005.
- 5.The Tahsildar,
Tahsildar Office,
Tiruchirappalli East,
Town Hall Road,
Tiruchirapalli District.



WEB COPY



W.A.(MD).No.2199 of 2024

R.SUBRAMANIAN, J.
and
L.VICTORIA GOWRI, J.

Mrn

W.A.(MD).No.2199 of 2024

28.10.2024