



W.P. No.25206 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED : 14.07.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.25206 of 2025

and

W.M.P.No.28371 of 2025

1. R.Dhanasundari

2. R.Shyamala

3. R.Deepa

... Petitioners

Vs.

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

2. The Director of Survey and Settlement,
Chepauk, Chennai 600 005.

3. The Assistant Settlement Officer,
Tiruvannamalai,
Now at Chepauk,
Chennai 600 005.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for records of the 1st respondent ending with Na.Ka.No.K2/8008490/2024 dated 20.08.2024 and quash the same and consequently direct respondents to issue patta in favour of the petitioners in respect of the land comprised in S.No.89/4 and bearing No.161,



W.P. No.25206 of 2025

New No.80, Payanoor Village, Chengalpet Taluk and District, admeasuring 3.25 Acres.

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For Petitioner(s) : Mr.I.Kowser Nissar

For Respondent(s) : Mr.A.Selvendran
Special Government Pleader

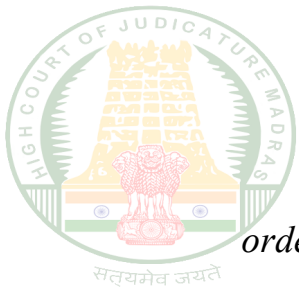
ORDER

By consent of learned counsel on both sides, this writ petition is taken up for final disposal at the admission stage itself.

2. The present writ petition is filed praying for a writ of certiorarified mandamus, to quash the impugned order dated 20.08.2024, passed by the 1st respondent in Na.Ka.No.K2/8008490/2024 and to consequently direct the respondents to issue patta in favour of the petitioners in respect of the land comprised in S.No.89/4, admeasuring 3.25 Acres, situated at New No.80, Payanoor Village, Chengalpet Taluk and District.

3. At the outset it is submitted by the learned counsel for the respondent that in similar circumstance this Court has passed the following order:

“The petitioner claims that they have purchased from the original owner. Under similar circumstances, His Lordship Mr.Justice K.Raviraja Pandian dealt with a similar impugned order, passed by the first respondent and has held as under in the



order dated 25.08.2003.

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“The writ petition is filed for issuance of a writ of certiorarified mandamus calling for the records relating to the order dated 4.3.2003 made in R.D.I.S. K1/2392172001 on the file of the Special Commissioner and Commissioner of Land Administration, Chepauk, Chennai 600 005, the first respondent herein confirming the order dated 14.5.2001 passed in R.P.No.1 of 2001 on the file of the Commissioner and Director of Survey and Settlement, the second respondent herein confirming the order dated 15.05.1997 in R.P.No.22 of 1996 on the file of the Settlement Officer, Thanjavur, the 3rd respondent herein reversing the order dated 4.12.1995 passed in S.R.No.1 of 1995 on the file of the Assistant Settlement Officer, Tiruvannamalai, the fourth respondent herein and quash the same and direct the respondents herein to grant ryotwari patta to the petitioner.

2. In view of the decision of the Supreme Court in the case of STATE OF TAMIL NADU VS. RAMALINGA SAMIGAL MADAM reported in (1985) 4 SCC 10, which has been subsequently re-affirmed by the Supreme Court in the case of R.MANICKANAICKER VS. E.ELUMALAI NAICKER reported in (1995) 4 SCC 156, this Court cannot go into the factual matrix and it is always open to the petitioner to move the Civil Court to have a decree for his title.

With this observation, the writ petition is disposed of. No costs. Consequently, WPMP is closed”

2. Therefore, having regard to the said legal position, the petitioner will have to work out his remedy only before the appropriate civil court for establishing their rights. ..”

4. The learned counsel for the petitioner would submit that liberty was



W.P. No.25206 of 2025

granted in the above case to move to the Civil Court and that similar liberty may

WEB be granted.

5. In view thereof, the writ petition stands disposed of in terms of the above order and the petitioners may have to work out their remedy in the manner known to law. No costs. Consequently, connected miscellaneous petition is closed.

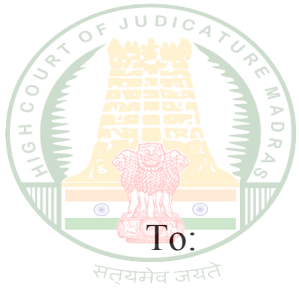
14.07.2025

Speaking (or) Non Speaking Order

Index : Yes/ No

Neutral Citation: Yes/No

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W.P. No.25206 of 2025

To:

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Commissioner of Land Administration,
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W.P. No.25206 of 2025

MOHAMMED SHAFFIQ, J.

spp

W.P. No.25206 of 2025

14.07.2025