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W.P.No.4 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2025

CORAM :

THE HONOURABLE **MR.JUSTICE N.ANAND VENKATESH**

Writ Petition No.4 of 2024
and WMP Nos.1 & 2 of 2024

Go.Neelahram

.... Petitioner

-Vs-

1.The Addl.District Collector
Villupuram District.

2.The District Revenue Officer
Villupuram District.

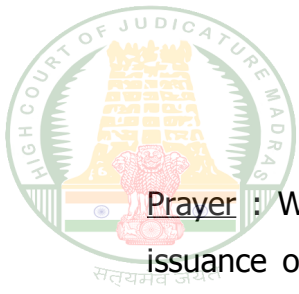
3.The Tahsildar
Tindivanam
Villupuram District.

5.The Village Administrative Officer
Keelputhupattu
Marakanam Taluk
Villupuram District.

6.The District Collector
Villupuram.

..Respondents

(R6 The District Collector, Villupuram
suo motu impleased as per order dt.05.1.2024
in WP.No.4/2024 by PVJ)



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Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to impugned proceedings initiated by the Respondent vide proceedings dated 13.11.2019 bearing No. Na.Ka.Aa. 10 / 29293 /2019 and 16.10.2023 bearing No. Na.Ka.AA.10 / 29293 / 2019 passed by the 2nd Respondent of petitioner lands situated in S No 192 /2- 1.28.0 Hectare 3.16 Acres 195/5-0.80.0 Hectare - 2.00 Acres 195/6-0.90.0 Hectare-2.22 Acres 195/7-0.80.0 Hectare -2.00 Acres 195/8-0.35.0 Hectare 0.87 196/3-1.21.5 Hectares - 3.00 Acres S. No. 196/4 -0.70.0 Hectare 1.75 Acres and 197/3 -0.34.0 Hectare - 0.85 Acres totalling an extent of 15.85 Acres and quash the same.

For Petitioner : Mr.I.Murali Krishnan

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This writ petition has been filed challenging the proceedings of the 1st respondent dated 13.11.2019 and the proceedings of the 2nd respondent dated 16.10.2023, wherein the request made by the petitioner to reconsider the cancellation of the assignment order and for issuance of patta, was rejected.

2.Heard Mr.I.Murali Krishnan, learned counsel for the petitioner and Mr.A.Selvendran, learned Special Government Pleader for respondents.



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3.The case of the petitioner is that the subject property was originally assigned in favour of Bibi Jan and others through proceedings dated 14.10.1993 and the revenue records were also mutated in the names of the assignees. The property was purchased by one Tamilarasan and from him, the petitioner has purchased the property. The petitioner has sold a portion of the property to third parties and was retaining the remaining portion. The original assignment came to be cancelled through proceedings dated 13.11.2019 and the petitioner made a representation before the District Collector for reconsideration of the same and for issuance of patta in favour of the petitioner and the same was also rejected through proceedings dated 16.10.2023. The same has been put to challenge in the present writ petition.

4.During the course of hearing, it was brought to the notice of this Court that the purchasers from the petitioner filed writ petitions before this Court challenging the cancellation of patta and these writ petitions in WP.No.35426 of 2019 etc., came up for hearing on 18.08.2023. At that point of time, it was informed to this Court that those petitioners have filed an appeal before the Commissioner of Land Administration. Hence, they were given the liberty to workout their remedy in the appeal and the writ petition was disposed of.

5.The ground that has been raised by the subsequent purchaser from the petitioner are similar to the grounds that are raised by the petitioner in the present



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writ petition. Therefore, it is not necessary for two forums to deal with the same issue. This is more so since the appeal proceedings before the Commissioner of Land Administration is still pending. Therefore, this Court deems it appropriate to give liberty to the petitioner to workout his remedy before the Commissioner of Land Administration where the other connected cases are pending till date. In view of the same, this Court does not want to deal with the grounds that was raised in the present writ petition.

6. In the light of the above discussion, there shall be a direction to the petitioner to file an appeal before the Commissioner of Land Administration, within a period of two weeks from the date of receipt of copy of the order. The said appeal shall be entertained and it shall be dealt with along with the other connected appeals that are pending before the Commissioner of Land Administration. All the appeals shall be dealt with on its own merits and in accordance with law and final orders shall be passed by the Commissioner of Land Administration, within a period of four months from the date of receipt of copy of this order. It is made clear that if the petitioner fails to file the appeal before the Commissioner of Land Administration within a period of two weeks, the petitioner will lose his right to question the proceedings of the District Collector. It goes without saying that all the grounds that were raised in the present writ petition can be raised before the Commissioner of Land Administration. Till the completion of the proceedings, the present *status quo* shall be maintained.



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7.This writ petition is disposed of with the above directions. No costs.

Consequently, the connected miscellaneous petitions are closed.

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Index : Yes/No

NCS : Yes/No

KP

To

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N.ANAND VENKATESH, J.

KP

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