

COPY OF:

IN THE HIGH COURT OF JUDICATURE AT MADRAS
(SPECIAL ORIGINAL JURISDICTION)
Thursday the seventeenth day of October
One thousand nine hundred and seventy four.

PRESENT

The Honourable Justice Mr. ISMAIL
Writ Petition No.3535 of 1974.

Papathi Ammal

.. Petitioner

Vs.

1. T. Joseph .. Respondents
2. Authorised Officer (Land Reforms), Mayuram.
3. The District Revenue Officer, Thanjavur.
4. Land Commissioner, Board of Revenue, Madras.

Petition under Article 226 of the constitution of India praying that in the circumstances stated therein, the High Court will be pleased to issue a Writ of certiorari calling for the records of the second respondent in his M.R.No.IV 140/17/70, dated 28th February 1974 as confirmed by the order of Respondents 3 and 4 in Rc. J. 10/99703/74, dated 30th August 1974 respectively and quash the orders passed therein.

ORDER:

This writ petition coming on for orders as to admission upon perusing the petition and the affidavit filed in support thereof and other material papers filed herein and upon hearing the arguments of Mr. M. Vanchinathan, Advocate for the petitioner, the Court made the following order:

Admittedly the petitioner did not apply for the assignment of surplus lands. The rules do not contemplate any officer suo-moto assigning lands in favour of a person like the petitioner who claims to be in possession as a cultivating tenant. The rules expressly contemplate persons applying for assignment pursuant to the notice calling for applications and in the present case admittedly the petitioner did not apply and therefore she cannot have any further grievance. The order of the Second respondent is correct and this writ petition is dismissed.

(Sd.) C.S. Narasimhan,
Assistant Registrar (P).

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