

COPY OF

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the twenty third day of February
One thousand nine hundred and seventy nine

PRESENT

The Honourable Mr. Justice Mohan
Writ petition No. 5827 of 1975

R. Amirthalingam

.. Petitioner

Vs.

1. The Commissioner (Land Reforms),
Board of Revenue, Chépaug, Madras-5. Respondents
2. The District Revenue Officer,
Thanjavur District.
3. The Authorised Officer (Land Reforms),
Nagapattinam, Thanjavur District.
4. Navaneetham, Thanjavur District,
Navaneetham--Name amended as per order
of court, dt. 7-1-77 in W.M.-P 59/77.

Petition under Article 226 of the Constitution of India, praying that in the circumstances stated therein an on the affidavit filed therewith the high Court will be pleased to issue a writ of Certiorari calling for the records of the respondents 1 to 3, dated 21st October 1974, 13th May 1974 and 3rd July 1973 made in R.P.No.134/74 R.C.No.64989/73/J9 and M.R.IV.215/NGT. a.10 respectively and quash the same.

ORDER:

This writ petition coming on for hearing on this day, upon perusing the petition and the affidavit filed in support thereof the order of the high Court, dated 3th September 1975 and made herein and the records relating to the order in R.P.No.134/74 R.C.No.64989/73/J9 and MRIV/215/NGT.A.10, dated 21st October 1974, 13th May 1974 and 3rd July 1973 on the file of the respondents 1 to 3 and comprised in the return of the respondents herein to the writ made by the high Court, and upon hearing the arguments of Mr. A.R. Lakshmanan, Advocate for the petitioner and of Mr. C. Chinnasami, for the Government Pleader on behalf of the respondents 1 to 3 and notice taken to the 4th respondent not

having been returned served, the court made the following order.

The request of the petitioner for assignment of land taken over as surplus under the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act was rejected mainly on the ground that it was time barred and further he was seeking an assignment of Survey No.142/9 measuring 1 acres 47 cents which was never notified as surplus. These factual findings have been rendered by the Land Commissioner on an examination of all the materials. It is the correctness of these factual findings which is questioned before me. It is well settled that Certiorari is not intended to correct factual errors. On this short ground the writ petition will stand dismissed. No costs.

(Sd.) K.P. Madhavan,
Assistant Registrar (P).

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