

WP(MD). Nos.30013 and 30014 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 21/07/2026

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THE HONOURABLE MRS. JUSTICE S.SRIMATHY

WP(MD). Nos.30013 and 30014 of 2025

1. P.Vijayabaskaran
2. C.Raja

... Petitioners in both WPs

Vs

1. The District Collector,
Madurai District.

2. The District Revenue Officer /
Additional District Magistrate,,
Madurai..

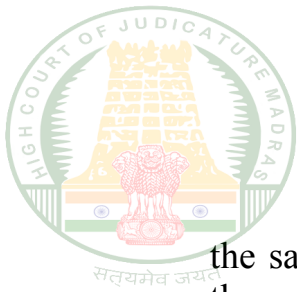
3. The Revenue Divisional Officer,
Thirumangalam,
Madurai District.

4. The Tahsildar,
Thirupparankundram Taluk,
Madurai District.

... Respondents in both WPs

PRAYER in W.P(MD).No. 30013 of 2025 :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus calling for the records pertaining the impugned order dated 31/01/2025 in Ni.Mu.No.2120936/2024/G5 passed by the second respondent and quash



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the same and consequentially, directing the third respondent to reassign the subject properties in Survey Nos.96/2 and 96/14 totally measuring 1 Acre 24 Cents in Periya Alangulam Village, Thirupparankundram Taluk, earlier in Madurai South Taluk, Madurai District to the petitioners free of market value as per rule 45(4) of the Revenue Standing Orders and pass such further or other orders as this Honble Court.

PRAYER in W.P(MD).No. 30014 of 2025 :-

Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari calling for records pertaining the impugned order dated 28.07.2023 in Ni.Mu.No. 32087/2022/G5 passed by the 2nd respondent and quash the same and pass such further or other orders as this Honble Court.

For Petitioner in both cases : Mr.N. Gurusmy
Advocate.

For Respondents in both cases : Mr.I. Pinaygash,
Counsel for State

COMMON ORDER

Since the issue involved in both the Writ Petitions is one and the same, they are taken up together and disposed of by this common order.

2. W.P.(MD) No.30013 of 2025 has been filed to call for the records pertaining to the impugned order dated 31.01.2025 in Ni.Mu.No. 2120936/2024/G5 passed by the second respondent and quash the same

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and consequently direct the third respondent to reassign the subject properties comprised in Survey Nos.96/2 and 96/14, totally measuring 1 Acre and 24 Cents, situated at Periya Alangulam Village, Thirupparankundram Taluk, formerly Madurai South Taluk, Madurai District, in favour of the petitioners, free of market value, as per Revenue Standing Order 45(4).

3. W.P.(MD) No.30014 of 2025 has been filed to call for the records pertaining to the impugned order dated 28.07.2023 in Ni.Mu.No. 32087/2022/G5 passed by the second respondent and quash the same.

4. The case of the petitioners is that they are the owners of the lands comprised in Survey Nos.96/2 and 96/14, measuring a total extent of 1 Acre and 24 Cents. The petitioners and their predecessors-in-title were cultivating the said lands. The Settlement "A" Register in respect of the subject lands stands in the names of Karuppana Thevar and Vellaisamy, and the classification of the lands as per the settlement records is Ryot Punja.



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5. The petitioners claim that they are the descendants of Karuppana Thevar through his daughter Rakkammal. It is further stated that the said Vellaisamy died as a bachelor and his right, title and interest in the subject properties devolved upon the legal heirs of Karuppana Thevar. The petitioners have purchased the subject properties through two registered Sale Deeds dated 15.06.2024 bearing Document No.3778 of 2024 and dated 26.06.2024 bearing Document No.3996 of 2024.

6. According to the petitioners, the Special Tahsildar under the UDR Scheme had issued patta in respect of the subject properties in the joint names of Karuppaiah, son of Karuppanan, and Alagar, in Patta Nos. 54 and 228 for Fasli 1396. Subsequently, the petitioners came to know that the subject properties were classified as Government Poramboke – Tharisu in the revenue records. On enquiry, the petitioners found that the classification of the subject properties had been changed due to non-payment of kist by the original owners and that the lands were brought to Government account under the provisions of the Revenue Standing

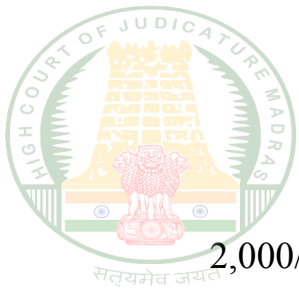


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Orders relating to lands purchased by the Government for arrears of land revenue.

7. The contention of the learned counsel appearing for the petitioners is that the lands purchased by the Government can be reassigned to the original owners or their legal heirs under Revenue Standing Order 45(4), without payment of market value, subject to payment of arrears of land revenue together with interest.

7. The third respondent, by proceedings dated 09.11.2023, directed the petitioners, being the descendants of the original owners, namely Karuppanan and Vellaisamy, to pay the arrears of land revenue in accordance with the Revenue Standing Orders. The arrears were calculated from Fasli 1383 to Fasli 1432 pursuant to G.O.Ms.No.544, Revenue Department, dated 20.10.2010, at the rate of Rs.4.94 per Fasli, amounting to Rs.197.60. The third respondent further directed the fourth respondent to carry out necessary corrections in the revenue records upon payment of the arrears. Accordingly, the petitioners paid a sum of Rs.



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2,000/- on 17.11.2023, including the interest component. Thereafter, the petitioners sought reassignment of the subject properties. However, their request was rejected through the impugned orders on the ground that the petitioners had approached the authorities belatedly and that the claim was barred by the period of twelve years contemplated under the Revenue Standing Orders.

8. The learned counsel appearing for the State, on instructions, submitted that the petitioners had paid the arrears as demanded by the authorities. However, it was contended that the petitioners had approached the authorities belatedly and, therefore, the rejection of the claim was justified.

9. This Court has considered the rival submissions and perused the materials available on record.

10. It is relevant to refer to Revenue Standing Order 45(4)(1), which is extracted hereunder:

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4. Disposal of bought in lands: (i) in the matter of assignment of bought-in-lands, the original owners or their undisputed heirs should be preferred to outsiders, provided that the assigning authority is satisfied that the original owner was not a wilful defaulter and that the default was due to circumstances beyond the defaulter's control and that such assignment is otherwise unobjectionable. If there be more than one heir of the original owner, the assigning authority shall have the power to decide to whom among them the land should be reassigned. The re-assignment will be free of market value; but, the reassignment should be ordered only on the assignee paying the arrears of land revenue for which the land was bought-in, together with the interest thereon. Back assessment should also be collected from the year in which the land was bought-in, to the year of reassignment, or for a period of twelve years, whichever is less. In cases where the land has been under the occupation of any person or persons other than the original owner or his successor in title, for any period during the 12 years immediately preceding the year of reassignment, the period of such occupation should be excluded and back assessment should be collected only for the remaining period. If before the land was bought-in, and takkavi loan had been granted to the original owner on the security of the land and if such loan amount has not been repaid in full, the loan amount or the balance due, together with interest should also be recovered from the original owner or his undisputed heir before the land is reassigned to him, even though the loan arrears, have been written off the account as irrecoverable.

directing the owners, Kar revenue as calculated t per G.O. M rate of Ra further dir on payme been paid



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A reading of the above provision makes it clear that the period of twelve years referred to therein is only for the purpose of calculating the amount payable towards arrears of land revenue while considering reassignment. The said provision does not prescribe any limitation period for making an application seeking reassignment. The respondents have misconstrued the said provision by treating the period of twelve years as a bar for entertaining the claim of the petitioners. Such an interpretation is contrary to the object and purpose of the Revenue Standing Orders. The period mentioned therein relates only to the calculation of the amount payable and not to the maintainability of the claim itself.

11. In the present case, the petitioners have admittedly paid the arrears of land revenue along with interest on 17.11.2023. Once the arrears have been recovered, the Government cannot continue to retain the lands which were purchased only for recovery of revenue dues. The purpose of the Revenue Standing Orders is to enable reassignment of such lands to the original owners or their legal heirs upon payment of the dues.

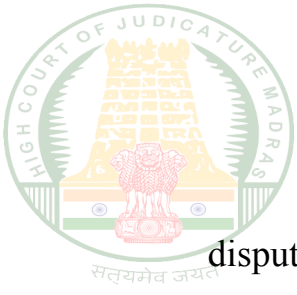


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12. This Court is of the considered view that the impugned orders, which reject the petitioners' claim by treating the period of twelve years as a period of limitation, suffer from non-application of mind and are liable to be interfered with. This Court also finds that the competent authority to consider reassignment under the Revenue Standing Orders is the Revenue Divisional Officer. In the present case, the order has been passed by the District Revenue Officer, who is not the competent authority contemplated under the Revenue Standing Orders.

13. Accordingly, the impugned orders dated 31.01.2025 in Ni.Mu.No.2120936/2024/G5 and dated 28.07.2023 in Ni.Mu.No. 32087/2022/G5 passed by the second respondent are set aside. The respondents are directed to reassign the subject properties comprised in Survey Nos.96/2 and 96/14, measuring a total extent of 1 Acre and 24 Cents, situated at Periya Alangulam Village, Thirupparankundram Taluk, Madurai District, in favour of the petitioners within a period of four weeks from the date of receipt of a copy of this order. In case of any



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dispute regarding the calculation of arrears, it is open to the competent authority to verify the same and collect the balance amount, if any, from the petitioners in accordance with law.

14. Accordingly, these Writ Petitions are allowed. No costs.

21.07.2026

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

TO

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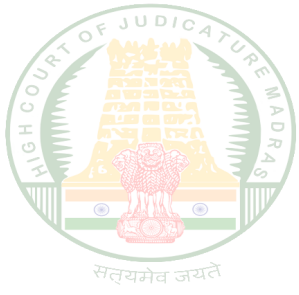
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S.SRIMATHY,J

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ORDER
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