

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K. RAVICHANDRABAABU

W.P.No.2980 of 2018

M.Gunasekaran
S/o.V.K.Manickam

... Petitioner

.vs.

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

2.The District Collector
Namakkal District,
Namakkal.

...Respondents

Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to notify the land, measuring 40 cents, comprised in Survey No.205 of Modamangalam @ Modamangalam Agraharam Village, in Kumarapalayam Taluk of Namakkal District as Pavadi and issue Patta thereto.

For Petitioner : Mr.SP.Chockalingam

For Respondents : Mr.R.Govindasamy

Additional Government Pleader

O R D E R

Mr.R.Govindasamy, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to notify the land, measuring 40 cents, comprised in Survey No.205 of Modamangalam @ Modamangalam Agraharam Village, in Kumarapalayam Taluk of Namakkal District as Pavadi and issue Patta thereto.

3. Heard both sides.

4. The petitioner claims that the subject matter property is being used by him for several decades for carrying out the process of preparing yawn and the place, in which, such process

is taking place is called as "Pavadi". It is also claimed by the petitioner that earlier in the revenue records, the above said subject matter property was referred to only as "Pavadi". However, it is stated by the petitioner that in the recent revenue records, the classification of the subject property was changed from "Pavadi" to "Pathai". It is the further case of the petitioner that nobody is using the said property as path way and on the other hand, the petitioner is in possession and enjoyment of the same, all along, without there being any disturbances from any body. Therefore, the petitioner seeks for rectification of the classification of the subject matter property from "Pathai" to "Pavadi" once again. Ventilating such grievance, the petitioner has made repeated representations. All those representations were periodically referred to the second respondent for passing appropriate orders. Now, it is contended before this Court that the respondents 1 and 2 have not passed any order so far.

5. Considering the above stated facts and circumstances and without expressing any view on the merits of the matter, I only direct the second respondent to consider the claim of the petitioner and pass appropriate orders on merits and in accordance with, after giving due opportunity of hearing to the petitioner. Such exercise shall be done by the second respondent within a period of twelve weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs.

-sd/-

Assistant Registrar

True Copy

Sub-Assistant Registrar

mk

To

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

2.The District Collector
Namakkal District,
Namakkal.

+1 C.C. to MR.S.P.Chockalingam Advocate SR.NO.11189

+1 C.C. to The Government Pleader, SR.NO. 10970

W.P.No.2980 of 2018

GJ (CO)

VS 28.02.2018



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