



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.12.2019

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.NO.35842 OF 2019

&

W.M.P.NO.36742 OF 2019

G.S.Navaneedakirushnan

.. Petitioner

versus

1. The District Collector,
Office of the District Collectorate,
Tiruppur,
Tiruppur District.

2. The District Revenue Officer,
District Collectorate Compound,
Tiruppur District.

.. Respondents

PRAYER:

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondents to carry out necessary inspections and reclassify the land measuring about 11 cents in Survey No.612/4 at Suryanallur village, Dharapuram taluk, Tiruppur District as patta land in the light of the petitioner's representation dated 17.09.2018 and 27.05.2019.

For Petitioner : Mr.N.Balamuralikrishnan

For Respondent : Mr.M.Elumalai, GA

ORDER

This Writ Petition has been filed by the petitioner, seeking for the issuance of a Writ of Mandamus, to direct the respondents to carry out necessary inspections and reclassify the land measuring about 11 cents in Survey No.612/4 at Suryanallur village, Dharapuram taluk, Tiruppur District as patta land in the light of the petitioner's representation dated 17.09.2018 and 27.05.2019.



2. According to the petitioner, by virtue of family partition that took place in 2014 and registered as Document No.1776/2014 on the file of the Sub Registrar Office, Dharapuram, the petitioner was allotted 18 cents out of total 54 cents of land situated in Survey No.379/E at Suryanallur village. Subsequently, the said Survey No.379/E was sub divided as 547/3 and 612/4, of which, S.No.547/3 was shown as patta land while S.No.612/4 was shown as 'salai porambokku'. The case of the petitioner is that he has been in possession and enjoyment of entire 18 cents of land allotted to his favour since partition, but unfortunately, 11 cents in S.No.612/4 was wrongly described as 'salai porambokku'. While so, in 2018, land acquisition proceedings were initiated under Tamil Nadu Road Development Scheme for developing State Highway 37, viz., Ottanchatiram Dharapuram Tiruppur Four way lane and the land comprised in S.No.612/4 was also acquired by the Government. The petitioner was under impression that he would be given compensation, but when he enquired with the authorities, he was informed that the subject land was described as 'salai porambokku' in Revenue records and unless the same is changed in his name, he would not get any compensation. Therefore, the petitioner made a representation to the District Collector, 1st respondent herein on 17.09.2018, seeking to reclassify the subject land as patta land belonging to the petitioner. According to the petitioner, pursuant to his representation, the 1st respondent directed the Tashildar, Dharapuram to conduct enquiry, who in turn conducted enquiry and sent proposals to the 2nd respondent Office for further action. The grievance of the petitioner is that despite the proposal, no action has been forthcoming from the respondents. Therefore, the petitioner has made another representation on 27.05.2019, but there was no response. Hence, the petitioner has come forward with the present Writ Petition.

3. Learned counsel appearing for the petitioner, while reiterating the averments made in the affidavit filed in support of the writ petition, would submit that the petitioner would be satisfied if the respondents are directed to consider and dispose of the representations made by him at the earliest.

4. Learned Government Advocate appearing for the respondents would submit that if any such direction is given by this Court, the same would be complied with if the representations are still pending before the respondents.

5. Considering the facts and the submissions made on either side, without going into the merits, the respondents are directed to consider the representations dated 17.09.2018 and 27.05.2019 made by the petitioner and pass reasoned order on



merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of on the above direction. No costs. Consequently, connected WMP is closed.

WEB COPY

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

Suk

To

1. The District Collector,
Office of the District Collectorate,
Tiruppur,
Tiruppur District.
2. The District Revenue Officer,
District Collectorate Compound,
Tiruppur District.

+1cc to Mr.N.Balamuralikrishnan, Advocate, S.R.No.106841

WP.No.35842 of 2019

AD(CO)
CS/21/01/2020