



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.06.2019

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.SURESH KUMARW.P.(MD)No.13053 of 2019

Manickam

...Petitioner

-Vs-

1.The District Collector,
Pudukkottai District.

2.The Revenue Divisional Officer,
Pudukkottai District.

3. The Thasildar,
Thirumayam Taluk,
Pudukkottai District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation, dated 25.09.2018, relating with the restoration of classification for the land, measuring 0.37.5 Ares in old S.No.405/1 and new S.No.405/7 in Panankudi village, Thirumayam Taluk, Pudukkottai District to its original position, which was erroneous reclassified as "Anadeenam" by the authorities without considering the settlement Register and consequently issuing patta in the petitioner's name in the light of SLR and also on basis of the petitioner's long possession and enjoyment of the property as the earliest possible as the date may be fixed by this Court.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.C.M.Mari Chelliah Prabhu, AGP,

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the second respondent to consider the petitioner's representation, dated 25.09.2018 relating with the restoration of classification for the land measuring 0.37.5 Ares in old S.No.405/1 and new S.No.405/7 in Panankudi village, Thirumayam Taluk, Pudukkottai District, to its original position which was erroneously reclassified as Anadeenam by the authorities without considering the settlement Register.



2. Heard Mr.R.Suriya Narayanan, learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents.

3. The petitioner in order to rectify the alleged erroneous reclassification of the petitioner's land at S.No.405/1 and new S.No.405/7 in Panankudi village, Thirumayam Taluk, Pudukkottai District, as "Anadeenam", had given a representation to the second respondent on 25.09.2018. On consideration of the same, the second respondent, by his communication dated 05.10.2018 in O.Mu.A4/6523/2018, had directed the third respondent to conduct enquiry and after completing enquiry send a report with relevant documents to take action on the said representation of the petitioner.

4. Despite the directive issued by the second respondent, the third respondent has not so far acted upon. Hence, the petitioner is before this Court.

5. The learned Additional Government Pleader appearing for the respondents would submit that, pursuant to the directive issued by the second respondent dated 05.10.2018, the petitioner's request would be considered and after conducting an enquiry, the third respondent would submit a report to the second respondent within a time to be stipulated and based on which, the second respondent would pass final orders on the representation of the petitioner.

6. Considering the said submission made on both sides, taking into consideration of all the factual aspects referred to above, this Court is inclined to pass the following order:-

"The third respondent is directed to conduct enquiry and send a report to the second respondent as directed by the second respondent within a period of one month from the date of receipt of a copy of this order and on receipt of the same, the second respondent shall pass orders on the request of the petitioner pursuant to his representation, dated 25.09.2018 within a period of four weeks thereafter. "

7. With these directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar (CS)



1. The District Collector,
Pudukkottai District.

2. The Revenue Divisional Officer,
Pudukkottai District.

3. The Thasildar,
Thirumayam Taluk,
Pudukkottai District.

+1CC TO MR.R.SURIYANARAYANAN, Advocate Sr. No.67830
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 68283

Order made in
W.P. (MD) No.13053 of 2019

Dated: **11.06.2019**

AVS (CO)
TR (25.06.2019) 3P 6C