



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **12.11.2019**

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE R.THARANI

W.P (MD)No.20537 of 2019

Arunachalam

.. Petitioner

Vs.

1.The Commissioner of land and
Administration,
Chepauk, Chennai.

2.The District Collector,
Trichy District, Trichy.

3.The Revenue Divisional Officer,
Trichy (East), Trichy.

4.The Tahsildar,
Trichy (East),
Trichy.

5.Santhanam

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the first and second respondents to direct the respondents 3 to 4 for cancel the 'A' Register and converted the plots as illegal made in Survey No.316/7 to the extent 0.26.5 Hectares situated at Kottapattu Village, Trichy East Taluk, Trichy District and restore the old position and taken stern action against as illegally transfer the patta to the fifth respondent by the Government officials.

For Petitioner : Mr.A.Vadivel

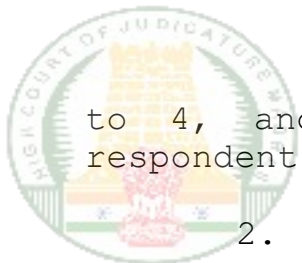
For R1 to R4 : Mr.M.Murugan
Government Advocate

For R5 : Mr.S.Anwar Sameem

ORDER

[Order of the Court was made by **T.S.SIVAGNANAM, J.**]

Heard Mr.A.Vadivel, learned counsel for the petitioner
Mr.M.Murugan, learned Government Advocate, for the respondents 1



to 4, and Mr.S.Anwar Sameem, learned counsel for the fifth respondent.

2. The petitioner has come forward with this Public Interest Litigation seeking direction upon the first and second respondents to direct the third and fourth respondents to cancel the 'A' Register and the converted plots in Survey No.316/7 to the extent of 0.26.5 Hectares situated at Kootappattu Village, Trichy East Taluk, Trichy District and to restore the original position.

3. The learned counsel for the fifth respondent has raised an objection with regard to the maintainability of this writ petition as Public Interest Litigation stating that the plea raised by the petitioner lacks *bona fide*.

4. It is alleged that the petitioner has been led by his father-in-law to commence a litigation on account of certain animosity between the petitioner's father-in-law and the fifth respondent. There appears to have a criminal case registered, in which the fifth respondent is an accused and the writ petitioner is an eye witness. He is refusing to speak about anything in the matter.

5. Be that as it may, the Authority should ensure that there is no wrong classification of the Government property. The Village Administrative Officer would state that there are entries as claimed by the petitioner. In any event, the Revenue Authorities should be in a position to ascertain as to what is the original classification of the land and if there is any change of classification, was there a need to do.

6. In the light of the above, we direct the third respondent to call for the entire records and conduct an enquiry to ascertain true facts and if there is any wrong classification, necessary action be initiated by the third respondent to restore the original classification. The parties are also directed to cooperate with the authorities.

7. With the above observation, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar ()

// True Copy //

Sub Assistant Registrar (CS)



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To

1.The Commissioner of land and
Administration,
Chepauk, Chennai.

2.The District Collector,
Trichy District, Trichy.

3.The Revenue Divisional Officer,
Trichy (East), Trichy.

4.The Tahsildar,
Trichy (East),
Trichy.

+1 CC to Mr.A.VADIVEL, Advocate (SR-97805[F] dated 13/11/2019)

+1 CC to Mr.T. ANTONY ARUL RAJ, Advocate (SR-97908[F] dated
13/11/2019)

+1 CC to M/s.SPL GP (SR-98089[F] dated 13/11/2019)

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