



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.11285 of 2020

Anuradha

... Petitioner

Vs.

1.The Additional Chief Secretary /
Commissioner of Land Reforms,
Ezhilagam,
Chennai - 600 005.

2.The Assistant Commissioner,
Land Reforms,
Madurai.

3.The Sub-Collector,
Palani, Dindigul District.

... Respondents

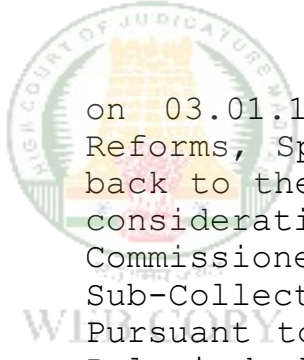
PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents 1 and 2 to conduct an enquiry as per the representation given by the petitioner dated 10.07.2019 in respect of the petitioner's lands situated in Survey Nos.136/2 and 139/2 measuring to an extent of 6.22 acres in Padur Village, Oddanchattiram Taluk, Dindigul District and return the same to the petitioner which are the subject matter of the Tamil Nadu Land Reforms and Fixation of Ceiling Act (58/61).

For Petitioner	: Mr.A.Rahul
For Respondents	: Mr.V.Anand
	Government Advocate

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, directing the respondents 1 and 2 to conduct an enquiry as per the representation given by the petitioner dated 10.07.2019 in respect of her lands situated in Survey Nos.136/2 and 139/2 measuring to an extent of 6.22 acres in Padur Village, Oddanchattiram Taluk, Dindigul District and return the same to the petitioner which are the subject matter of the Tamil Nadu Land Reforms and Fixation of Ceiling Act (58/61).

2.According to the petitioner, one Alagarswamy Naicker had ancestral property in four villages, including Padur Village in Survey Nos.136/1, 136/2A, 2B, 139/2 measuring to an extent of 6.22 acres, total lands of 21.86 acres, were declared as surplus by the proceedings of the Assistant Commissioner (Land Reforms), Madurai



on 03.01.1997 and the said proceeding was quashed by the Land Reforms, Special Tribunal on 04.03.1997 and the matter was remanded back to the Assistant Commissioner (Land Reforms), Madurai for fresh consideration. Pursuant to the said order, the Assistant Commissioner (Land Reforms), Madurai has forwarded the same to the Sub-Collector/Revenue Divisional Officer, Palani, for enquiry. Pursuant to the same, the Sub-Collector/Revenue Divisional Officer, Palani had issued notice, dated 07.01.2017 in the name of the late. Alagarswami Naicker to appear for enquiry on 30.01.2017. Hence, Lakshminarayanan, the legal heir of late. Alagarswami Naicker, had given reply to the Sub-Collector's notice on 23.01.2017. Thereafter, the petitioner, who is also the legal heir of late. Alagarswami Naicker, had given a representation dated 10.07.2019 to the respondents. Since no action has been taken on the side of the respondents, the petitioner has filed the present Writ Petition.

3. The learned Government Advocate appearing for the respondents, on instructions, submitted that the Revenue Divisional Officer, Palani, by proceedings in R.O.C.NO.3598/2019/A5, dated 10.09.2020 stated that they are proposed to conduct enquiry on the petitioner on 25.09.2020 and after enquiry, the representation of the petitioner dated 10.07.2019, would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

4. In view of the submission made by the learned Government Advocate, this Court directs the third respondent / the Sub-Collector, Dindigul to conduct enquiry and thereafter, pass appropriate orders on the petitioner's representation dated 10.07.2019 on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the petitioner and other interested parties, if any.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:- In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



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To

1.The Additional Chief Secretary /
Commissioner of Land Reforms,
Ezhilagam,
Chennai - 600 005.

2.The Assistant Commissioner,
Land Reforms,
Madurai.

3.The Sub-Collector,
Palani, Dindigul District.

+1 CC to M/s.SPL GP (SR-17259[F] dated 17/09/2020)

+1 CC to M/s.K.R. KRISHNAN, Advocate (SR-17349[F] dated
18/09/2020)

W.P. (MD) No.11285 of 2020
16.09.2020

SJ(CO)
KB(23.09.2020) 3P 6C