



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.12.2020

CORAM

THE HON'BLE MR.JUSTICE **S.VAIDYANATHAN**

**W.P. (MD)No.1435 of 2019**

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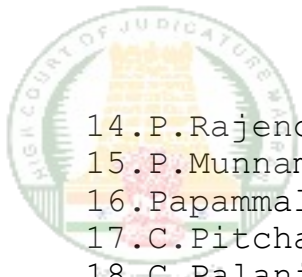
1.S.Alagarsamy  
2.M.Gurusamy

... Petitioners

Vs.

- 1.The Government of Tamil Nadu,  
Rep. by its Principal Secretary,  
Revenue Department,  
Fort St. George,  
Chennai, Tamil Nadu - 600 009.
- 2.The Commissioner of Land Administration,  
O/o, Commissioner of Land Administration,  
Ezhilagam, Chepauk,  
Chennai.
- 3.The District Collector,  
District Collectorate,  
Madurai.
- 4.The District Revenue Officer,  
O/o District Revenue Officer,  
District Collectorate Campus,  
Madurai.
- 5.The Revenue Divisional Officer,  
O/o Revenue Divisional Officer-Melur,  
Madurai District.
- 6.The Tahsildar,  
Taluk Office - Madurai East,  
Narasingam, Madurai District.
- 7.Assistant Settlement Officer,  
Settlement Office, Madurai.

8.S.Amsavalli  
9.A.Kalyani  
10.S.Pitchai  
11.P.Jothi  
12.V.Sivakumar



14.P.Rajendran  
15.P.Munnamalai  
16.Papammal  
17.C.Pitchai @ Kathan  
18.C.Palaniyandi  
19.Alagupillai  
20.C.Veerammal  
21.N.Munamalai  
22.A.Ramasami  
23.A.Sethu Konar.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to deliver physical possession of the petitioner's assignment land assigned under the scheme for Thotti Inam for Scheduled Caste members under Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 in respect of the land in Old Survey Nos.9F, 11E, 11D, 11C, 16B, 9B, 7E, 7A, 7B, 7U, 29, 85, 86, 105A, 106B, 107, 108A, 108B, 108C, 109 to 114, 310A to 310H, 311, 312, 323, 322, 325A, 325B, 320B, 88 and lands in patta Nos.92, 256, 61, C17, C30, Arumbanur Village, Madurai District as per the proceedings of the respondent No.7 dated 1971 within the stipulated time.

|                   |                            |
|-------------------|----------------------------|
| For Petitioner    | : Mr.T.Lajapathi Roy       |
| For Respondents   | : Mr.K.P.Krishnadoss       |
| 1 to 7            | Special Government Pleader |
| For Respondent 8  | : Mr.RM.Arunswaminathan    |
| For Respondents   | : Mr.H.Arumugam            |
| 12, 14 and 21     |                            |
| For Respondents   | : Mr.M.Thirunavukkarasu    |
| 15 & 16           |                            |
| For Respondents   | : Mr.G.Prabhu Rajadurai    |
| 17 & 18           |                            |
| For Respondent 22 | : Mr.L.Shaji Chellan       |

For Respondents  
9,10,11,13,19, 20 & 23 : No appearance

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#### ORDER

The petitioners have come forward with this Writ Petition, seeking a direction to the respondents to deliver physical possession of the petitioners' assignment land assigned under the scheme for Thotti Inam for Scheduled Caste members under Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963 in respect of the land in Old Survey Nos.9F, 11E, 11D, 11C, 16B, 9B, 7E, 7A, 7B, 7U, 29, 85, 86, 105A, 106B, 107, 108A, 108B, 108C, 109 to 114, 310A to 310H, 311, 312, 323, 322, 325A, 325B, 320B, 88 and lands in patta Nos.92, 256, 61, C17, C30, Arumbanur Village, Madurai District as per the proceedings of the respondent No.7 dated 1971



within the stipulated time. 02.12.2013 within the time stipulated by this Court.

2. Heard the learned Counsel appearing for the petitioners, Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the respondents 1 to 8 and learned Counsels appearing for the respondents 8,12,14,15, 16,17,18, 21 and 22. Though notice sent to the respondents 9, 10, 11, 13, 20 and 23 has been returned with an endorsement "persons not found" and the notice against the respondent No.19 with an endorsement "died", this Court is disposed of the writ petition as no adverse order is going to pass against them.

3. The learned Counsel appearing for the petitioners would submit that the petitioners belong to oppressed community of Hindu Parayar (Scheduled Caste) and they have traditionally lived in Arumabanur Village since time immemorial. The petitioners' father and brother had worked as 'Thotti' and 'Neerkatti' in the village and the locality. It is further submitted that in compliance with the Tamil Nadu Minor Inams (Abolition and Conversion into Ryotwari) Act, 1963, the Settlement Officer had determined and assigned land in respect of T.D. No.216 which is a Village Service (Thotti) Inam granted in 88 Arumabanur Village, Madurai in favour of the petitioners grandfather and father. Thereafter, all the assigned lands have been taken over by numerous individuals using false documents in a manner known to law. It is pertinent to mention that considering the petitioners are the members of the Scheduled Caste community and they have been engaged in village service "thotti", the said lands were assigned to them under the Tamil Nadu Minor Inam (Abolition and Conversion of Ryotwari) Act, 1963. Though the petitioners have approached the respondents 1 to 7, no action has been taken so far. Therefore, the petitioners have come forward with the present Writ Petition.

4. Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the respondents 1 to 7 would submit that the matter is pending before the District Revenue Officer, Madurai/fourth respondent herein who, after taking a decision, will send the same to the Special District Revenue Officer, Land Acquisition for necessary action.

5. Consider the facts and circumstances of the case and also considering the fact that as the matter is pending before the District Revenue Officer, Madurai/fourth respondent herein, this Court directs the fourth respondent to complete the proceedings and take a decision after hearing all the necessary parties within a period of six months from the date of receipt of a copy of this order. The aggrieved persons can work out their remedy by approaching the Special District Revenue Officer, Land Acquisition, Madurai.



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

Sd/-

Assistant Registrar(T & P)

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/ /2020

Sub Assistant Registrar(CS)

SRM

To

1. The Principal Secretary, Revenue Department,  
Fort St. George, Chennai, Tamil Nadu - 600 009.
2. The Commissioner of Land Administration,  
O/o, Commissioner of Land Administration,  
Ezhilagam, Chepauk, Chennai.
3. The District Collector,  
District Collectorate, Madurai.
4. The District Revenue Officer,  
O/o District Revenue Officer,  
District Collectorate Campus, Madurai.
5. The Revenue Divisional Officer,  
O/o Revenue Divisional Officer-Melur, Madurai District.
6. The Tahsildar, Taluk Office - Madurai East,  
Narasingam, Madurai District.
7. Assistant Settlement Officer,  
Settlement Office, Madurai.

+1 CC to M/s.S.MARIAPPA MURALI, Advocate ( SR-24976[F] dated 10/12/2020 )

+1 CC to M/s.GP ( SR-25133[F] dated 11/12/2020 )

+1 CC to M/s.H.ARUMUGAM, Advocate ( SR-25188[F] dated 11/12/2020 )

+6 CC to M/s.H.ARUMUGAM, Advocate ( SR-25358[F] dated 14/12/2020 )

**W.P. (MD)No.1435 of 2019**  
**10.12.2020**

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