



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.11.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.12551 of 2020

and W.M.P. (MD) Nos.10724 and 10726 of 2020

WEB COPY

K.Annadurai

... Petitioner

-Vs-

1.The District Collector,
Pudukottai, Pudukottai District.

2.The District Revenue Officer,
Pudukottai, Pudukottai District.

3.The Revenue Divisional Officer,
Pudukottai, Pudukottai District.

4.The Tahsildar,
Alangudi, Pudukottai District.

5.The Assistant Executive Engineer,
Highways Department
Alangudi Division,
Thiruvarankulam
Alangudi Taluk
Pudukottai District.

6.Palanivel

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus to direct the respondents 1 and 2 to change the classification of S.F.No.277/3 of Veppankudi Village, Alangudi Taluk, Pudukottai District and issue assignment of payment of market value of the land in favour of the petitioner by considering the petitioner's representation dated 21.05.2018.

For Petitioner : Mr.K.Baalasundaram

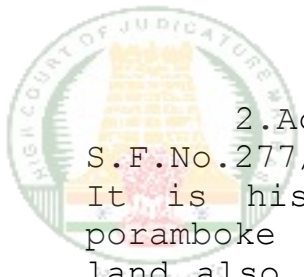
For Respondents : Mr.V.P.M.Vaishnavi

Government Advocate for R1 to R5

Mr.K.Chengizkhan for R6

ORDER

The writ petition has been filed for a direction to the respondents 1 and 2 to change the classification of S.F.No.277/3 of Veppankudi Village, Alangudi Taluk, Pudukottai District and issue assignment of payment of market value of the land in favour of the petitioner by considering the petitioner's representation



2. According to the petitioner, he purchased the land in S.F.No.277/2 and doing cultivation by planting Eucalyptus trees. It is his case that the adjacent land in S.F.No.277/3 is a poramboke land and the petitioner is doing cultivation in that land also. While so, the official respondents wrongly classified the poramboke land as road side. The fourth respondent has also enquired into the matter and submitted his report to the respondents 1 and 3 to the effect that the land may be assigned to the petitioner. Thereafter, the petitioner also paid necessary payment for assigning the poramboke land in his favour. However, since the respondents have classified the land as road side land and trying to assign the land in favour of the 6th respondent, the petitioner sought for reclassification of the land by giving representation dated 21.05.2018. Since the said representation has not been considered so far, the petitioner is before this Court with this writ petition.

3. When the matter was taken up for hearing, the 6th respondent has brought to the attention of this Court to the proceedings of the Sub Collector addressed to the District Collector, dated 02.05.2018, which has been annexed in the typed set of papers and hence, by citing the same, it is contended that the request of the petitioner in the present writ petition cannot be considered.

4. At this juncture, it is submitted by the learned counsel for the petitioner that liberty may be given to the petitioner to challenge the said order and in case, if it is interfered with, the request of the petitioner would be considered depending upon the outcome of the result of the order dated 02.05.2018.

5. Leaving all the issues open and giving liberty to the petitioner to challenge the order dated 02.05.2018, before the appropriate forum by agitating all the points available to him including the one raised in the present writ petition, the writ petition is disposed of. If the State Government has got right or interest over the property in question and any person in possession, however long, it will not entail them with any legal right. No costs. Consequently connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AD-I)

// 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.

To

- 1.The District Collector,
Pudukottai
Pudukottai District.
- 2.The District Revenue Officer,
Pudukottai
Pudukottai District.
- 3.The Revenue Divisional Officer,
Pudukottai
Pudukottai District.
- 4.The Tahsildar,
Alangudi
Pudukottai District.
- 5.The Assistant Executive Engineer,
Highways Department
Alangudi Division,
Thiruvarankulam
Alangudi Taluk
Pudukottai District.

Order made in
W.P. (MD)No.12551 of 2020
23.11.2020

AC (CO)
KM (16.12.2020) 3P 6C