



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2020

CORAM

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

W.P. (MD).No.15250 of 2018

Kanagaraj

... Petitioner

-vs-

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Revenue Divisional Officer,
Thenkasi Division,
Tirunelveli District.
3. The Assistant Revenue Divisional Officer,
Veerakeralam Pudur,
Tirunelveli District.
4. The Tahsildar,
Veerakeralam Pudur Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the second respondent to implement the order of the erstwhile Assistant Commissioner (land reforms) Tirunelveli/the Assigning Authority under the Land Reforms Act, 1965 made in his proceedings C1/MR-1V/312/H/TKS, dated 31.01.1988 and consequently, direct the competent Authority/2nd respondent to issue Patta in favour of petitioner in respect of land of land of an extent of 35 Cents comprised in Nanja Survey No.328/1A at Vellakal Village, Veerakeralampudur Taluk, Tirunelveli District.

For Petitioner : Mr.V.Angusamy
For Respondents : Mr.K.P.Krishnadoss
Special Government Pleader

O R D E R

The instant writ petition has been filed for Writ of Mandamus to direct the second respondent to implement the order of the erstwhile Assistant Commissioner (land reforms) Tirunelveli/the Assigning Authority under the Land Reforms Act, 1965 made in his proceedings C1/MR-1V/312/H/TKS, dated 31.01.1988 and consequently, direct the competent Authority/2nd respondent to issue Patta in



favour of petitioner in respect of land of an extent of 35 Cents comprised in Nanja Survey No.328/1A at Vellakal Village, Veerakeralampudur Taluk, Tirunelveli District.

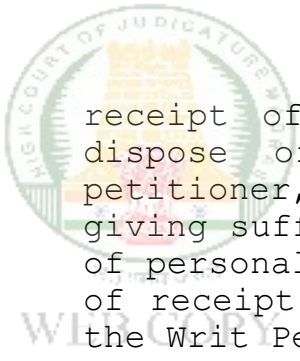
2. It is the case of the petitioner that the erstwhile Assistant Commissioner (Land Reforms) Tirunelveli, assigned the lands in S.No.328/1A measuring 35 cents Vellakal Village, previously Thenkasi Taluk, and now, Veerakeralampudur (V.K.Puthur) Taluk, Tirunelveli District and the said lands were assigned to the petitioner vide proceedings dated 31.01.1988. According to the petitioner, till date, patta has not been issued in his favour by the second respondent despite several representations made by him. The last such representation was made on 26.03.2018. According to the petitioner, the respondent has not shown any response to the said representation. In such circumstances, the instant writ petitions have been filed.

3. Heard Mr.V.Angusamy, learned counsel appearing for the petitioner and Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the respondents.

4. Mr.K.P.Krishnadoss, learned Special Government Pleader appearing for the respondents would submit that Tirunelveli District has been bifurcated as Tirunelveli District and Tenkasi District and hence, the jurisdiction of the respondents 1 and 2 vests with The District Collector and The Revenue Divisional Officer of Tenkasi District respectively.

5. Learned counsel for the petitioner drew the attention of this Court to the proceedings dated 31.01.1988 of the erstwhile Assistant Commissioner (Land Reforms, Tirunelveli), who is the Assigning Authority under Land Reforms Act, 1985. As seen from the proceedings, Sl.No.7 has been assigned to the petitioner and it is a land measuring 35 cents comprised in S.No.332/1A part Vellakal Village, previously Tenkasi Taluk, and now, V.K.Pudur Taluk, Tirunelveli District. Even though the aforesaid land was assigned in favour of the petitioner, as early as on 31.01.1988, till date, no patta has been issued in favour of the petitioner. Even though the petitioner had given several representations and the last such representation given by him to the first and second respondents was on 26.03.2018 requesting them to grant patta for the lands assigned in his favour by proceedings dated 31.01.1988, admittedly, the said representation has not been duly considered by the respondents.

6. Considering the submission of the learned Special Government Pleader appearing for the respondents, the first respondent is directed to forward all the relevant papers along with the representation of the petitioner to the District Collector, Tenkasi District, Tenkasi and also a copy of the same to the Revenue Divisional Officer, Tenkasi District, Tenkasi, forthwith. On



receipt of the same, the authority concerned shall consider and dispose of the representation dated 26.03.2018 given by the petitioner, by passing a final order in accordance with law, after giving sufficient opportunity to the petitioner, including the right of personal hearing, within a period of four(04) weeks from the date of receipt of a copy of this order. With the aforesaid directions, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(P & A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

SRM
To

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Revenue Divisional Officer,
Thenkasi Division,
Tirunelveli District.
3. The Assistant Revenue
Divisional Officer,
Veerakeralam Pudur,
Tirunelveli District.
4. The Tahsildar,
Veerakeralam Pudur,
Tirunelveli District.

+1 CC to Mr.V.ANGUSAMY, Advocate SR.No. 23041

Order made in
W.P. (MD) .No.15250 of 2018
26.11.2020

SGS (CO)
TR(07.01.2021) 3P 6C