



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 22114 of 2013

1. Muthulakshmi
2. Saroja
3. Karunagannan
4. Raman
5. Raji
6. Boopalan
7. Varathan
8. Muthusamy
9. Boopathy
- 10.K.S. Mariappan

.. Petitioners

Versus

1. The District Collector, Dharmapuri
Collectorate, Dharmapuri
2. The Revenue Divisional Officer, Dharmapuri
Collectorate, Dharmapuri
3. The Tahsildhar, Pennagaram
Taluk Office, Pennagaram
4. The Assistant Divisional Engineer,
Highways Department, Pennagaram

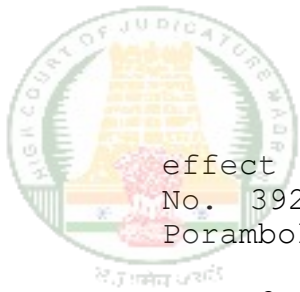
...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider petitioners representation dated 09.01.2013 and effect the changes in the village account reclassifying Survey No. 392 of Sunjalnatham Village as Natham instead of Paattai Poramboke.

For Petitioner	:	Mr. Abrar Mohamed Abdullah
For Respondents	:	Mr. Stalin Abhimanyu Government Counsel

O R D E R

The present writ petition has been filed praying for issuance of a Writ of Mandamus directing the respondents 1 to 3 to consider petitioners representation dated 09.01.2013 and



effect the changes in the village account reclassifying Survey No. 392 of Sunjalnatham Village as Natham instead of Paattai Poramboke.

2. The petitioners claims to be in possession of lands measuring about 1 or 2 cents in Survey No. 392 of Sunjalnatham village for the past several decades. It is their claim that the Tahsildar, Pennagaram during the year 1994 had granted Assignment of land in their favour and they have also complied with the conditions of Assignment. It is also claimed that the petitioners have obtained ration card in their name, electricity service connection to their property and are also paying the taxes and charges to the authorities concerned. While so, during January 2013, the revenue officials along with the officials of the fourth respondent admitted to measure the property, which the petitioners have resisted. When questioned, the petitioners were informed that the assignment given is not recorded in the revenue books and therefore, the classification of land in occupation of the petitioners still remains as Pattai Poramboke. The apprehension of the petitioners is that the Highways Department may attempt to dispossess them particularly owing to the fact that the classification of the lands remain unchanged, even after decades of issuance of assignment orders in their favour. The petitioners, therefore submitted a representation dated 09-01-2013 to the respondents 1 to 3. According to the petitioners, such representation has not been considered at all by the respondents and therefore, they have filed the present Writ Petition.

3. Mr. Stalin Abhimanyu, learned Government Counsel appearing for the respondents is not in a position to say whether the representation dated 09.01.2013 of the petitioners has been disposed of or not. However, he would submit that if the petitioners submit a fresh representation, it would be considered by the Third Respondent and orders will be passed thereon in accordance with law.

4. Heard both sides and perused materials placed on record. The petitioners have submitted the representation on 09-01-2013 to the respondents 1 to 3 seeking the reclassifying of land which is in their possession. The petitioners claim that by reason of inaction on part of the respondents in not reclassifying their lands, without recording the orders of Assignment issued in their favour way back in the year 1994. There is complete likelihood of them being vacated from the lands. In question of such representation submitted by the petitioner has not been disposed by the respondents. Further, taking notes of the fact that the respondent was given way back in the year 2013, the petitioners were directed to submit a fresh representation to the third respondent along with the



copies of documents in their possession within a period of two weeks from the date of receipt of copy of this order. On receipt of such representation, the third respondent is directed to consider the representation of the petitioner, afford and opportunity of hearing to them and therefore, pass appropriate orders in accordance with law with a period of four weeks thereafter.

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

Sd/-

Assistant Registrar(CS III)
//True Copy//

Sub Assistant Registrar

dhk

To

1. The District Collector, Dharmapuri
Collectorate, Dharmapuri
2. The Revenue Divisional Officer, Dharmapuri
Collectorate, Dharmapuri
3. The Tahsildhar, Pennagaram
Taluk Office, Pennagaram
4. The Assistant Divisional Engineer,
Highways Department, Pennagaram

+1CC to Mr.Government Pleader, Sr.No.43421

WP No.22114 of 2013

JPL (CO)
K.RK. (20.09.2021)