



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.09.2021

CORAM:

THE HON'BLE MRS.JUSTICE V. BHAVANI SUBBAROYAN

W.P.NO.20460 OF 2021

K.Nataraj

... Petitioner

.Vs.

1. The District Collector,
District Collector Office,
Coimbatore - 641 018.
2. The District Revenue Officer,
District Collector Office,
Coimbatore - 641 018.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Coimbatore - 641 018.
4. The Revenue Tahsildar,
Revenue Tahsildar Office,
Madhukarai Circle,
Coimbatore - 641 105.
5. The Director,
Tamil Nadu Bhoodan Yagna Board,
Ezhilagam Building 1st Floor,
Chepauk, Chennai - 600 005.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing all the respondents to take necessary steps to eliminate the Bhoodan Yagna Board name from the petitioner land revenue records in Survey No.100/1B, Karunjami Gounder Palayam, Palathurai Post, Palathurai, Coimbatore.

For Petitioner : Mr.A.Ramesh Manikandan

For RR 1 to 4 : Mr.Yogesh Kannadasan
Government Advocate



ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing all the respondents to take necessary steps to eliminate the Bhoodan Yagna Board name from the petitioner land Revenue Records in Survey No.100/1B, Karunjami Gounder Palayam, Palathurai Post, Palathurai, Coimbatore.

2. The case of the petitioner is that his grandfather namely Chinnapalani Gounder given 25 cents of land in Survey No.95/2, Patta No.3 in Karunjami Gounder Palayam, Palathurai Post, Palathurai, Coimbatore - 641 105 to Bhoodan Yagna Movement on 30.09.1956. Thereafter, he came to know about the property through his relatives, the petitioner's father Karuppusami, S/o.Chinnapalani Gounder owned a dry land measuring to an extent of 3.20 acres at Coimbatore South Taluk, Palathurai Village. Thereafter, his grandfather is in possession and enjoyment of the aforesaid property in Survey No.100/1F (Patta No.15), 95/3B2 (Joint Patta No.107), 97/1A, 100/1B (Joint Patta No.109) 100/1C, (Joint Patta No.155) 100/2 in Karunjami Gounder Palayam, Palathurai Post, Palathurai, Coimbatore District and all the Revenue Records stands in Survey No.100/1B belongs to the Tamil Nadu Bhoodan Yagna Movement Land. Whereas, the petitioner is in possession of the above said land and doing agriculture till date. Therefore, he made several representations before the respondents to remove that wrongly mentioned subject matter on 11.12.2020. In reply, the 2nd respondent had sent a letter dated 01.09.2021 in Na.Ka.No.11179/2016/Nee.Cee.2 based on his representation stating that the disputed Survey No.100/1B is not in the Tamil Nadu Bhoodan Yagna Movement Land Revenue Records. Therefore, the petitioner has no other alternative remedy except to approach this Court under Article 226 of the Constitution of India. Hence, this petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the 1st respondent to consider the petitioner's representation dated 11.12.2020 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, the petitioner is hereby directed to produce the settlement deed executed by the petitioner's grandfather in respect of the aforesaid property in favour of the Tamil Nadu Bhoodan Yagna Board, dated 30.09.1956 along with this order copy, all the



relevant Revenue Records before the Authorities, thereafter, after scrutinizing the aforesaid documents, the respondents herein are hereby directed to consider the petitioner's representation dated 11.12.2020 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity to the petitioner within a period of sixteen weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

gba/msm

To

1. The District Collector,
District Collector Office,
Coimbatore - 641 018.
2. The District Revenue Officer,
District Collector Office,
Coimbatore - 641 018.
3. The Revenue Divisional Officer,
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5. The Director,
Tamil Nadu Bhoodan Yagna Board,
Ezhilagam Building 1st Floor,
Chepauk, Chennai - 600 005.

+1cc to Mr.A.Ramesh Manikandan, Advocate, S.R.No.50004
+1cc to the Government Pleader, S.R.No.50086

W.P.No.20460 of 2021

SMI (CO)
PBS/27/10/2021