

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 01.02.2021

CORAM

THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.No.25706 of 2017

G.Shanmuga Vadivu
D/o.Gopal

... Petitioner

vs.

1.The District Collector,
District Collectorate Building,
Sathuvachari, Vellore,
Vellore District.
Pin Code-632 009.

2.The District Revenue Officer,
District Collectorate Building,
Sathuvachari, Vellore,
Vellore District.
Pin Code-632 009.

3.The Revenue Divisional Officer,
District Collectorate Building,
Sathuvachari, Vellore,
Vellore District,
Pin Code-632 009.

4.The Tashildhar,
Taluk Office,
Gudiyathaam,
Vellore District.
Pin Code-632602.

5.The Special Commissioner,
Land Administration,
II Floor, Ezhilagam,
Chepauk,
Chennai.
Pin Code-600 005

... Respondents

Prayer: Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated

03.07.2017 and directing the third respondent to conduct an official inquiry and retrieve the Special grade of conditional assignment land (Depressed Land) in Ward No.2, Block No.8, in a Town survey No.823 with an extent of 1.36 cents (PANCHAMI LAND), According to copy of the circular in reference No.F1/69400/94 dated 19.08.1996 Lands-Panjami Lands-Transfer of DC lands through sales etc-effecting transfer of Registry in favor of the petitioner.

For Petitioner : No appearance

For Respondents: M/s.A.Madumathi
Special Government Pleader

ORDER

This writ petition has been filed for issuing a Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 03.07.2017 and direct the third respondent to conduct an official inquiry and to retrieve the Special grade of conditional assignment land (Depressed land) in Ward No.2, Block No.8, in T.S.No.823 with an extent of 1.36 cents. According to copy of a circular dated 19.08.1996 effecting.

2.When the matter is called, there is no representation for the petitioner.

3.The case of the petitioner is that the land measuring to an extent 1.36 cents in town survey No.823 in Ward No.2, Block No.8, at Gudiyatham Taluk, Vellore District, was earmarked and denoted for the Scheduled Caste Community for their livelihood and the same cannot be assigned to any other person. It is sated that the said land was assigned to the Great grand father of petitioner by the then Inam Commissioner during British Raj. It is sated that subsequently the land was occupied by Non-scheduled Caste people. In short, the petitioner says that the land was classified as Panchami Land and later corrected. Stating the above facts, a representation was sent by the petitioner to the first respondent. The petitioner's representation dated 03.07.2017 has not been considered by the first respondent. Hence the present writ petition is filed by the petitioner.

4.The learned Special Government Pleader appearing for the respondents produced the proceedings dated 10.02.2020 of the first respondent before this Court stating that the representation of the petitioner cannot be entertained for the reason stated therein.

5. In view of the facts stated therein, it is stated that there is no scope of reclassifying the land in Survey No.823 as Panchami land. Since, the petitioner's representation has now been turned down by the first respondent, this Court is unable to entertain the writ petition for issuing any direction. This writ petition can be dismissed with liberty to the petitioner to challenge the proceeding of the District Collector dated 10.02.2020. Since the counsel for the petitioner is absent, the learned Government Pleader is directed to ensure that the order of District Collector is served on the petitioner.

Accordingly, this Writ Petition is dismissed. No Costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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Copy to

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+lcc to the Government Pleader Sr.5190

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