



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.3717 of 2021
(Through Video Conference)

S.T.Ramalingam ... Petitioner
Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The District Revenue Officer,
Tirunelveli,
Tirunelveli District.

3.The Assistant Commissioner (Land Reforms),
Tirunelveli, Tirunelveli District.

4.The Tahsildar,
Cheramahadevi Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the fourth respondent to restore the patta in the name of the petitioner by implementing the order of the third respondent issued in Na.Ka.C1/205/2014 dated 29.04.2014 within a time frame fixed by this Court.

For Petitioner : Mr.R.J.Karthick
For Respondents : Mr.M.Muniasamy,
Additional Government Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the fourth respondent to restore the Patta in the name of the petitioner in line with the proceedings of the third respondent dated 29.04.2014.

2. The case of the petitioner is that the subject property absolutely belongs to the petitioner and he was also issued Patta bearing Patta No.339 in the year 2013. The further case of the petitioner is that the subject property was wrongly classified as 'excess / surplus land' in the 'A' Register. The



petitioner therefore made a representation to the third respondent in this regard and the third respondent through proceedings dated 29.04.2014 directed the property to be restored in the name of the owner on the ground that it has been wrongly classified as 'excess land'.

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3. The grievance of the petitioner is that the fourth respondent has not acted upon the proceedings of the third respondent and therefore, left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.R.J.Karthick, learned counsel for the petitioner and Mr.M.Muniasamy, learned Additional Government Pleader appearing for the respondents.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the fourth respondent to consider the representation made by the petitioner on 15.05.2014 and deal with the same on its own merits and in line with the proceedings of the third respondent dated 29.04.2014 and pass appropriate orders within a period of six (06) weeks from the date of receipt of a copy of this order.

6. The petitioner is directed to make a fresh representation to the fourth respondent along with all the relevant documents and also a copy of this order.

7. This Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS I)

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/ /2021

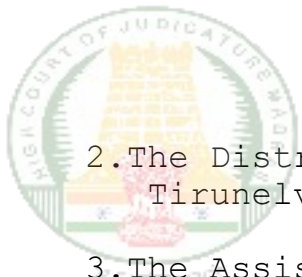
Sub Assistant Registrar(CS)

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,
Tirunelveli District,
Tirunelveli.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The District Revenue Officer,
Tirunelveli, Tirunelveli District.

3.The Assistant Commissioner (Land Reforms),
Tirunelveli, Tirunelveli District.

4.The Tahsildar,
Cheramahadevi Taluk,
Tirunelveli District.

+1 CC to M/s.SPL GP (SR-17182[F] dated 22/04/2021)

+1 CC to M/s.R.J.KARTHICK, Advocate (SR-17283[F] dated 23/04/2021)

Order made in
W.P. (MD) No.3717 of 2021
Dated
21.04.2021

AS(10.06.2021) 3P 7C