



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2021

CORAM :

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD) No.9135 of 2021

S.Velayutham

... Petitioner

vs.

1)The District Collector,
Maruthupandiar Nagar,
Sivagangai District.

2)The Revenue Divisional Officer,
Sivagangai District.

3)The Tahsildar,
Manamadurai-630 606,
Sivagangai District.

4)The Village Administrative Officer,
North Santhanoor Village,
Manamadurai Taluk,
Manamadurai-630 606,
Sivagangai District.

... Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the respondents to carry out necessary correction by including the petitioner's name in the revenue records in village account, Adangal, A register, patta in respect of the properties in S.Nos.68/2A, 68/2B, 68/2C 82/6 & 89/5 of North Santhanoor Village, Manamadurai Taluk, Sivagangai District and issue patta for the above said property in favour of the petitioner and to update the same in their official website expeditiously within a time frame fixed by this Hon'ble Court.

For Petitioner : Mr.T.Antony Arulraj

For R1 to R4 : Mr.P.Thilak Kumar
Counsel for Government of Tamil Nadu



ORDER

By consent, the writ petition itself is taken up for final disposal.

2.This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to carry out necessary correction by including the petitioner's name in the revenue records in village account, Adangal, A register, patta in respect of the properties in S.Nos.68/2A, 68/2B, 68/2C 82/6 & 89/5 of North Santhanoor Village, Manamadurai Taluk, Sivagangai District and issue patta for the above said property in favour of the petitioner and to update the same in their official website expeditiously within a time frame fixed by this Court.

3.The learned counsel for the petitioner would state that the petitioner was the successful bidder in respect of the arrack shop in the year 1981-82 and since he did not pay the bid amount of Rs.30,265/- the shop was re-auctioned and due to non payment, the authorities calculated the notional loss at Rs.2,04,754/-. Since the petitioner did not pay the said amount, his agricultural land was brought for sale by the revenue department. Since no one participated in the auction, the land was transferred to the Government. Subsequently, when the petitioner was ready to pay the said amount, he was directed to pay Rs.3,84,716/- for the delayed payment with interest, against which, the petitioner filed W.P(MD)No.7529/2008 which was allowed and the writ appeal filed thereagainst was dismissed. Thereafter, the 1st respondent by proceedings dated 25.08.2016 fixed the amount payable at Rs.1,79,469/- and the petitioner remitted the said amount on 21.02.2018 and the land was re-conveyed to the petitioner. Since in the year 1991, the land was transferred to the Government, it was classified as Government Poromboke and revenue records were mutated accordingly. In view of the payment of the above amount by the petitioner, the 1st respondent by proceedings in Na.Katti3/44756/2006, dated 11.07.2018, cancelled the classification as Government Poromboke and reclassified the lands as ryot nanja and ryot punja lands.

4.It is the grievance of the petitioner that despite the above order passed by the 1st respondent, it was not implemented by the respondents 2 and 4 and the revenue records are not mutated till date. Hence, this writ petition.

5.The learned Government counsel appearing for the respondents would state that the respondents 2 to 4 will implement the proceedings of the 1st respondent in Na.Katti3/44756/2006, dated 11.07.2018, within a time frame to be fixed by this Court.



6.Heard the learned counsel for the petitioner as well as the respondents.

7.Since the 1st respondent/District Collector himself has passed an order dated 11.07.2018, cancelling the classification as Government Poromboke and reclassified the petitioner's lands as ryot nanja and ryot punja lands, it is incumbent on the part of the respondents 2 to 4 to implement the same in letter and spirit. Therefore, the respondents 2 to 4 are directed to implement the proceedings of the 1st respondent in Na.Katti3/44756/2006, dated 11.07.2018 within a period of twelve weeks from the date of receipt of a copy of this order.

8.With the above direction, this Writ Petition is allowed.
No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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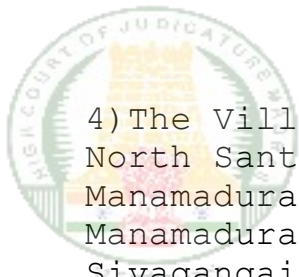
Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocate/litigant concerned.

To

1)The District Collector,
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Sivagangai District.

2)The Revenue Divisional Officer,
Sivagangai District.

3)The Tahsildar,
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Sivagangai District.



4)The Village Administrative Officer,
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Manamadurai Taluk,
Manamadurai-630 606,
Sivagangai District.

WEB COPY

+1 CC to SPL GP (SR-18907[F] dated 07/06/2021)

+1 CC to MR.T.ANTONY ARUL RAJ, Advocate (SR-18849[F] dated
07/06/2021)

ORDER MADE IN
W.P(MD)No.9135 of 2021
DATED : 04.06.2021

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KM(15.06.2021) 4P 7C