



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.07.2021

CORAM :

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12348 of 2021

and

W.M.P. (MD) No.9701 of 2021

N.Muthuveeran

... Petitioner

Vs.

1. The District Collector,
Madurai District, Madurai.

2. The District Revenue Officer,
Office of the District Revenue Office,
Madurai District, Madurai.

3. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Melur, Madurai District.

4. The Tahsildar,
Tahsildar Office,
Melur Taluk, Madurai District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 4 to remove the wrong classification of S.No.300/5 as Panjamar land and effect necessary amendments in all the revenue records such as Patta, Chitta, Village FMB, A register and Adangal to show the ownership of the petitioner for the properties pertaining to Survey No.300/5 situated at T.Vellamuthanpatti, Melur Taluk, Madurai District within the time frame fixed by this Court.

For Petitioner

: Mr.T.Lajapathi Roy

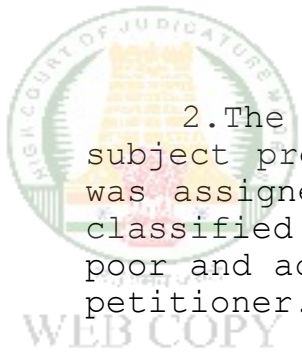
For Respondents

: Mr.M.Lingadurai

Government Advocate

ORDER

This writ petition has been filed for the issue of a writ of Mandamus, directing the first respondent to consider the representation made by the petitioner, on 17.02.2021, wherein, the petitioner is seeking for the removal of the wrong classification of the subject property in the revenue records and other records, pertaining to the property belonging to the petitioner.



2.The case of the petitioner is that, on 09.06.1963, the subject property in S.No.300/5 measuring an extent of 0.72.50 ares was assigned in favour of his father. The property was originally classified as a 'Sarkar Tharisu' and it was allotted to the landless poor and accordingly, it was assigned in favour of the father of the petitioner.

3.The further case of the petitioner is that after the assignment order was made in favour of his father, patta was also issued in patta No.654 and he was in possession and enjoyment of the same. Even during the UDR scheme, the revenue records and other records carried the name of the father of the petitioner.

4.The father of the petitioner expired on 20.12.1993, leaving behind the petitioner as the legal heir. According to the petitioner, he has inherited the property from his father. The petitioner came to know that the property has been classified as 'panjamar land' without issuing any notice to the petitioner. Therefore, the petitioner made repeated representations to the respondents seeking for changing the classification. Ultimately, a representation was given, on 17.02.2021 and the same also did not evoke any response. Left with no other alternative, the present writ petition has been filed before this Court, seeking for appropriate directions.

5.Heard Mr.T.Lajapathi Roy, learned counsel for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents.

6.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 first respondent to consider the representation made by the petitioner, on 17.02.2021 and deal with the same on its own merits and in accordance with law and pass final orders, within a period of eight weeks from the date of receipt of a copy of this order.

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

8.This writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /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,
Madurai District, Madurai.
2. The District Revenue Officer,
Office of the District Revenue Office,
Madurai District, Madurai.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Melur, Madurai District.
4. The Tahsildar,
Tahsildar Office,
Melur Taluk, Madurai District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-23671[F] dated 23/07/2021)

+1 CC to M/s.GP (SR-23707[F] dated 23/07/2021)

**W.P. (MD) .No.12348 of 2021
22.07.2021**

RC (30.07.2021) 3P-7C