



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2021

CORAM

THE HONOURABLE MR.JUSTICE **C.V.KARTHIKEYAN**

W.P. (MD)Nos.18861 to 18863 of 2021

W.P. (MD)No.18861 of 2021:-

G.Vanarasi

... Petitioner

vs.

1.The District Revenue Officer,
Thanjavur, Thanjavur District.

2.The Revenue Divisional Officer,
Pattukottai, Thanjavur District.

3.The Tahsildar,
Peravurani Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to change the classification of the land and issue a separate patta in S.Nos.297/2 292/2 and 297/3, which are situated in Karuppamanai Village, Peravurani Taluk, Thanjavur District with an extent of 94 cents, 60 cents and 45 cents, respectively, by way of considering the petitioner's representation, dated 20.09.2021.

W.P. (MD)No.18862 of 2021:-

G.Devakumari

... Petitioner

vs.

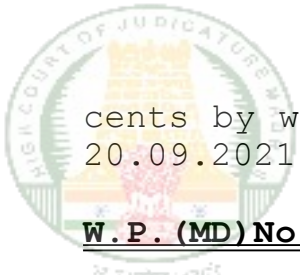
1.The District Revenue Officer,
Thanjavur, Thanjavur District.

2.The Revenue Divisional Officer,
Pattukottai, Thanjavur District.

3.The Tahsildar,
Peravurani Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to change the classification of the land and issue a separate patta in S.Nos.297/2, which is situated in Karuppamanai Village, Peravurani Taluk, Thanjavur District with an extent of 30



cents by way of considering the petitioner's representation, dated 20.09.2021.

W.P. (MD)No.18863 of 2021:-

G.Sahayamary

... Petitioner

vs.

1.The District Revenue Officer,
Thanjavur, Thanjavur District.

2.The Revenue Divisional Officer,
Pattukottai, Thanjavur District.

3.The Tahsildar,
Peravurani Taluk,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the first respondent to change the classification of the land and issue a separate patta in S.No.297/2, which is situated in Karuppamanai Village, Peravurani Taluk, Thanjavur District with an extent of 50 cents, by way of considering the petitioner's representation, dated 20.09.2021.

For Petitioner : Mr.K.P.Sankarakumarakuruparan
For Respondents : Mr.D.Ghandiraj
Special Government Pleader
(in all cases)

COMMON ORDER

These Writ Petitions have been filed seeking re-classification and to issue separate patta by relying upon a sale deed executed in the year 2005 by Mariya Chinnappu and on the basis of a mortgage deed executed in the year 1988 in the name of the husband of the petitioner in W.P.(MD)No.18861 of 2021. The Writ Petitioners in W.P.(MD)No.18862 and 18863 of 2021 are adjacent land owners. All the three Writ Petitions relate to the lands rather the property, in S.Nos.297/2, 292/2 and 297/3 in Karuppamanai Village, Peravurani Taluk, Thanjavur District, measuring 94 cents, 60 cents and 45 cents respectively.

2.Heard Mr.K.P.Sankarakumarakuruparan, learned Counsel for the petitioner and Mr.D.Ghandiraj, learned Special Government Pleader appearing for the respondents.



3.The petitioners had filed documents, extract of 'A' Registrar from the revenue records. A perusal of the same shows that in S.No.297, there are two sub part, namely, S.No.297/1 and 297/2. There is no S.No.297/3. S.No.297/1 has been classified as V.Mathakulam and it is a Government Poramboke/Anathinam. Similarly, S.No.297/2, is also Government Poramboke/Anathinam and classified as V.Mathakulam. More importantly, the land in S.No.297/1, measures 20 acres and 61 cents and the land in S.No.297/2 measures 2 Acres and 94 cents. The total measurement is 23 Acres 55 cents. Conversion of lands, which are classified as Kulam, cannot be permitted by this Court and should not be permitted to be considered by the respondents by this Court. The land in S.No.292/2, which measures 1 Acre 78 cents, is also classified as a Kulam.

4.The learned Counsel for the petitioner now relies upon an internal communication issued by the Additional Collector, Revenue, Tanjaore, to the Sub Collector, Pattukottai, wherein, reference had been made to the representations given by the petitioner and it has been requested that if there is a genuine claim made by the petitioners, then the Sub Collector, Pattukottai, may examine the same. In the teeth of the classification of lands, as water bodies, it will be highly inappropriate on the part of this Court to grant any such direction. The representations of the petitioners can never be considered in its proper light. If the petitioners had produced any document relating to the title, then such title would only be with respect to Government land and to water body and certainly not to individual lands or to the lands, to which patta had been granted. Therefore, the relief sought by the petitioner can never be considered and should not be permitted to be considered.

5.With the above observations, these Writ Petitions are dismissed. No costs.

Sd/-

Assistant Registrar (P&A)

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/ /2021

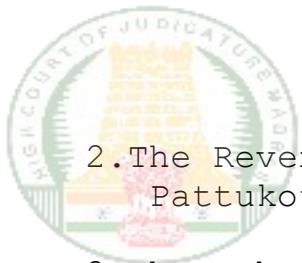
Sub Assistant Registrar (CS)

cmr

To

1.The District Revenue Officer,
Thanjavur, Thanjavur District.

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



2.The Revenue Divisional Officer,
Pattukottai, Thanjavur District.

3.The Tahsildar,
Perayurani Taluk,
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+1 CC to M/s.SPL GP (SR-35335[F] dated 22/11/2021)

W.P. (MD)Nos.18861 to 18863 of 2021
19.11.2021

AM(CO)
SB(06.12.2021) 4P 5C