



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.03.2022

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.14021 and 14047 of 2015

1. R.Arumugam ... Petitioner in W.P.No.14021 of 2015

2. K.Palanivelrajan ... Petitioner in W.P.No.14047 of 2015

vs.

1. The State of Puducherry
Represented by its Secretary to
Government,
Revenue and Land Reforms Department,
Secretariat,
Puducherry.

2. The District Collector,
Collectorate,
Karaikal.

3. The Deputy Collector(Revenue),
cum Authorised Officer (Land Reforms),
Karaikal.

4. Member Secretary,
Karaikal Planning Authority,
Karaikal.

... Respondents in both W.P.s

Prayer in W.P.No.14021 of 2015: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to remove petitioner's residential Plot No.33 comprised in T.S.No.127/10; R.S.No.41/2pt, cadastre No.78/2 of Karaikal Municipal Area from Land Ceiling proceedings and consequently directing the respondents to remove the reference of zero valuation by referring proper valuation to petitioner's plot.

Prayer in W.P.No.14047 of 2015: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to remove petitioner's residential Plot No.13 comprised in T.S.No.127/3 & 128/22;



R.S.No.41/2pt, 41/3pt, cadastre No.78/2 of Karaikal Municipal Area from Land Ceiling proceedings and consequently directing the respondents to remove the reference of zero valuation by referring proper valuation to petitioner's plot.

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For Petitioners in both W.P.s :M/sR.Narayanan

For Respondents in both W.P.s :Mr.J.Kumaran
Additional Government Pleader
(Pondicherry)

C O M M O N O R D E R

Since the issue involved in these Writ Petitions is one and the same, they are disposed of by way of this common order.

2. The case of the petitioners is that, the petitioners purchased their residential plots situated at Karaikal from their vendors. Thereafter, the petitioners constructed residential houses after obtaining proper approval from Karaikal Town Planning Authority and Patta was also issued in their favour. When the petitioners came to know that the valuation of the land concerned, has been mentioned as 'zero' in Registration Office, they made representations to the respondents dated 02.03.2015 to remove the reference of "zero valuation" to the concerned residential plot. Since the respondents have not acceded to the petitioners' representation, they have filed the present Writ Petition seeking the aforesaid relief.

3. Though very many grounds have been raised in the Writ Petition, learned counsel for the petitioners submitted that it would suffice if this Court issues direction to the respondents to consider the representations of the petitioners dated 02.03.2015 and dispose of the same within a time frame that may be fixed by this Court.

4. The learned Additional Government Pleader (Pondicherry) submits that earlier, proceedings were initiated against the vendor of the petitioners' vendor Dhanalakshmiammal and her land was acquired under the Pondicherry Land Reforms (Fixation of ceiling on Land) Act, 1973. While so, she filed Civil Revision Petition in C.R.P.No.33 of 1978 as against the order of the Authorised Officer. This Court, on 27.07.1981, quashed the Notification issued under Section 17(1) of the Pondicherry Land Reforms (Fixation of ceiling on Land) Act, 1973 issued by the Authorised Officer by allowing the said Civil Revision Petition and directed the 1st respondent therein to take



up the matter afresh. Hence he submitted that appropriate orders will be passed on the petitioners representation dated 02.03.2015 within a reasonable time that may be fixed by this Court.

5. Heard the learned counsel appearing on either side and perused the materials placed before this Court.

6. Taking into consideration the factual aspects of the matter, the learned Additional Government Pleader appearing for the respondents fairly submitted that the Land Ceiling proceedings were initiated against the vendor of the petitioners' vendor Dhanalakshmiammal, which were quashed by this Court by allowing the Civil Revision Petition in C.R.P.No.33 of 1978 vide order dated 27.07.1981 and subsequently the 1st respondent was directed to take up the matter afresh.

7. However, this Court without going into the merits of the case, directs the respondents to consider the petitioners' representation dated 02.03.2015 and pass appropriate orders, on merits and in accordance with law, after affording opportunity of hearing to the petitioners and necessary parties within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioners and it is for the respondents to decide the same at the time of disposing of the said representation purely on merits.

8. These writ petitions are accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

rap/jd

To

1. The Secretary to Government,
The State of Puducherry.

Revenue and Land Reforms Department,
Secretariat,
Puducherry.



2. The District Collector,
Collectorate,
Karaikal.

WEB COPY

3. The Deputy Collector (Revenue),
cum Authorised Officer (Land Reforms),
Karaikal.

4. The Member Secretary,
Karaikal Planning Authority,
Karaikal.

+2cc to Mr.R.Narayanan, Advocate SR.No.21410, 21411

+1cc to the Government Pleader (Puducherry), SR.No.21586, 21587

W.P.Nos.14021 and 14047 of 2015

AK-II (CO)
CB(25/04/2022)