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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NO.5648 OF 2022

&

W.M.P.NO.5736 OF 2022

K.Thandapani

... Petitioner

.Vs.

1. The Union of India,
Represented by the Chief Secretary,
Government of Puducherry,
Puducherry.
2. The Collector-Cum-Special
Secretary for revenue,
Government of Puducherry,
Vazudavur Road,
Puducherry.
3. The Authorised officer -Cum-
Deputy Collector (Revenue),
(South) Government of Puducherry,
Puducherry.
4. The Special Officer,
Department of Revenue and
Disaster Management,
Government of Puducherry,
Puducherry.
5. The Sub-Registrar,
Office Bahoor Sub Registrar,
Bahoor, Puducherry.

... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to withdraw the land reforms proceedings by assigning GLR value in respect of the petitioner land situated at Embalam revenue



village in R.S.No.86/2B cadaster number 72 bis (extent of 51 Kuzees 6 Veesams), since the land reforms proceedings was already set aside by the Land Tribunal, Pondicherry in LTCMA No.17 of 1978 by order dated 29.08.1979 and attained finality.

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For petitioner : Mr.A.Tamilavanan

For Respondents : Mr.V.P.Chamvraj
For M/s.V.Usha
Additional Government Pleader
(Pondicherry)

ORDER

The petitioner has filed this petition seeking direction to the respondents to withdraw the land reforms proceedings by assigning GLR value in respect of the petitioner land situated at Embalam revenue village in R.S.No.86/2B cadaster number 72 bis (extent of 51 Kuzees 6 Veesams), since the land reforms proceedings was already set aside by the Land Tribunal, Pondicherry in LTCMA No.17 of 1978 by order dated 29.08.1979 and attained finality.

2. Mr.V.P.Chamvraj, for M/s.V.Usha, learned Additional Government Pleader (Pondicherry) takes notice for the respondents. In view of the limited relief sought for in this petition and on the consent expressed by the learned counsel appearing on either side, this petition is taken up for final disposal.

3. The case of the petitioner is that there was a land reform proceedings against the petitioner's land comprised in R.S.No.86/2B, and the draft statement was published by the third respondent in gazette no.217 dated 24.08.1977 declaring that the petitioner land of an extent of 13-51-45 HA as surplus. Thereafter, petitioner made an objection on 29.08.1979 to the third respondent and the same was rejected, as against which petitioner's vendor filed a statutory appeal before the Land Tribunal, Puducherry under Section 46 of Act in LTMCA No.17 of 1978, and the same was allowed by the Tribunal. As against the above order, the third respondent filed a revision petition on 20.11.1980, before this Court in CRP No.37461 of 1980, and the same was dismissed by this Court. Thereafter, on 20.03.1989 the petitioner had purchased the land in R.S.No.86/2B cadaster number 72 bis, and the said land belongs to legal heirs of the original owner of the property. Thereafter, petitioner made a representation dated 13.06.2019 before the second respondent, requesting him to assign GLR in favour of the petitioner.



However, till date no action has been taken by the respondents on the representation made by the petitioner. Hence, the present Writ Petition has been filed by the petitioner for the above relief.

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4. Though very many grounds have been raised, learned counsel for the petitioner submits that it would suffice if this Court may issue direction to the respondents to consider the petitioner's representation dated 13.06.2019, within the time frame that may be fixed by this Court.

5. The learned Additional Government Pleader appearing for the respondents submits that the petitioner's representation dated 13.06.2019 will be considered by the respondents, within the time frame that may be fixed by this Court.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation dated 13.06.2019, and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of with the aforesaid direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

tri/nhs

To

1. The Union of India,
Represented by the Chief Secretary,
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3. The Authorised officer -Cum-
Deputy Collector (Revenue),
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Department of Revenue and
Disaster Management,
Government of Puducherry,
Puducherry.

5. The Sub-Registrar,
Office Bahoor Sub Registrar,
Bahoor, Puducherry.

+2ccs to Mr.A.Tamilavanan, Advocate, S.R.No.17354
+1cc to the Special Government Pleader, S.R.No.17897

W.P.NO.5648 OF 2022 &
W.M.P.NO.5736 OF 2022

SKM(CO)
PBS/05/04/2022