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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.8428 of 2022
and W.M.P.No.8376 of 2022

Vasudevan

... Petitioner

Vs.

1. The District Collector,
Kallakurichi District,
Kallakurichi.
2. The District Revenue Officer,
Kallakurichi District,
Kallakurichi.
3. The Revenue Divisional Officer,
Kallakurichi Division,
Kallakurichi.
4. The Thasildar,
Kallakurichi Taluk,
Kallakurichi.
5. The Special Thasildar,
Adi Dravidar Welfare,
Kallakurichi Taluk,
Kallakurichi.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to consider the representation of the petitioner dated 27.03.2022 seeking to reclassify the land measuring an extent of 4.08 acres, comprised in Survey No.107/1B in Pethanur Village, Kallakurichi Taluk and District, belonging to the petitioner's family, from "Adi Dravidar Kudiyiruppu" into Patta land and to issue patta in their favour.

For Petitioner

: Mr.AE. Ravichandran

For Respondents

: Mr.M.Murali

Government Advocate



O R D E R

This Writ Petition has been filed to issue a Writ of Mandamus, directing the Respondents to consider the representation of the petitioner dated 27.03.2022 seeking to reclassify the land measuring an extent of 4.08 acres, comprised in Survey No.107/1B in Pethanur Village, Kallakurichi Taluk and District, belonging to the petitioner's family, from "Adi Dravidar Kudiyiruppu" into Patta land and to issue patta in their favour.

2. Mr.M.Murali, learned Government Advocate takes notice for the respondents. In view of the limited relief sought for in this petition, on the consent expressed by the Learned counsel appearing for either side, taken up for final disposal.

3. The case of the petitioner is that the land to an extent of 4.34 acres comprised in Survey No.107/1, which was subsequently sub divided as Survey No.107/1B, situated at Pethanur Village, Kallakurichi Taluk was originally owned by the petitioner's maternal uncle one Ramalingam. Thereafter, the said Ramalingam sold 0.23 cents of land to one Ramasami Chettiar and the remaining 4.11 acres of land was in possession and enjoyment of the said Ramalingam. Thereafter, the said Ramalingam died intestate and his wife Valliammal was the only legal heir and she was in possession and enjoyment of the entire land. In the year 1991, the said land was acquired for the welfare of Adi Dravidars and it has been shown as "Adi Dravidar Kudiyiruppu". Challenging the said acquisition, the said Valliammal filed a writ petition in W.P.No.3597 of 1984. By an order dated 03.12.1991, the said acquisition proceedings were quashed by this Court. Thereafter, no one preferred an appeal as against the order and the said order had attained finality. After the death of said Valliammal, as per the Will, now the petitioner and his brother are the owners of the subject land. However, till date the said classification was not removed from the subject land. Therefore, the petitioner made a representation to the respondents dated 27.03.2022 to remove the classification as "Adi Dravidar Kudiyiruppu" and for transfer of patta in the name of the petitioner and his brother. However, till date, no order has been passed on the same. Hence, this present petition is filed.

4. The learned counsel for the petitioner submitted that this Court may issue a direction to the respondents to consider the representation of the petitioner dated 27.03.2022 and may pass appropriate orders within the stipulated time as fixed by this Court.



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5. The learned Government Advocate appearing for the respondents, would submit that the representation made by the petitioner will be considered and appropriate orders will be passed on merits within the time frame to 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 representation of the petitioner dated 27.03.2022 and after giving an opportunity of hearing to the petitioner, pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition stands disposed of. Consequently, connected Miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CO)

// True Copy //

Sub Assistant Registrar

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To

1. The District Collector,
Kallakurichi District,
Kallakurichi.
2. The District Revenue Officer,
Kallakurichi District,
Kallakurichi.
3. The Revenue Divisional Officer,
Kallakurichi Division,
Kallakurichi.
4. The Thasildar,
Kallakurichi Taluk,
Kallakurichi.



5. The Special Thasildar,
Adi Dravidar Welfare,
Kallakurichi Taluk,
Kallakurichi.

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+lcc to Mr.A.E.Ravichandran, Advocate SR.No.23422

+lcc to Special Government Pleader, SR.No.23837

W.P. No.8428 of 2022
and W.M.P.No.8376 of 2022

SKM(CO)
CB(19/04/2022)