



W.P.Nos.15446, 15323 and 15499 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.07.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.15446, 15323 and 15499 of 2022

And

W.M.P.Nos.14593, 14489 and 14666 of 2022

Rajamanikam	... Petitioner in W.P.15446/2022
Kichenamourty	... Petitioner in W.P.15323/2022
Subalakshmi	... Petitioner in W.P.15499/2022

Vs.

- 1.The Union of India,
Rept. 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 in all the W.Ps.



W.P.Nos.15446, 15323 and 15499 of 2022

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Prayer in W.P.No.15446 of 2022:

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 land situated at Embalam revenue village in R.S.No.86/2B Cadaster number 72 bis (extent of 2 Kani 14 Kuzees), since the proceedings was set aside by the Land Tribunal, Pondicherry in LTCMA No.17 of 1978 by order dated 29.08.1979 and attained finality.

Prayer in W.P.No.15323 of 2022:

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 land situated at Korkadu revenue village in R.S.No.65/2 Cadaster number 310 (extent of 23 Kuzees), since the proceedings was set aside by the Land Tribunal, Pondicherry in LTCMA No.17 of 1978 by order dated 29.08.1979 and attained finality.

Prayer in W.P.No.15499 of 2022:

Petition filed under Article 226 of the Constitution of India to



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issue a Writ of Mandamus directing the respondents to withdraw the land reforms proceedings by assigning GLR value in respect of land situated at Embalam revenue village in R.S.No.86/2B Cadaster number 72 bis (extent of 2 Kani 14 Kuzees), since the proceedings was set aside by the Land Tribunal, Pondicherry in LTCMA No.17 of 1978 by order dated 29.08.1979 and attained finality.

For Petitioners : Mr.A.Tamilvanan
For Respondents : Mr.J.Kumaran
Additional Government Pleader
(Puducherry)

COMMON ORDER

The petitioners have filed these writ petitions seeking issuance of Writ of Mandamus directing the respondents to withdraw the land reforms proceedings by assigning GLR value in respect of their lands since the proceedings was set aside by the Land Tribunal, Pondicherry, by order dated 29.08.1979.

2.Since the issue involved in all these writ petitions are one and the same, they are heard together and disposed of by way of a common order.



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3.The case of the petitioners is that the petitioners are the owners of the subject properties. Initially, the subject properties belonged to one Muthuvenkatapathy Reddiar and the third respondent initiated proceedings under the Puducherry Land Reforms (Fixation of Ceiling on Land) Act, 1973 [hereinafter called as 'Act'] during the year 1977 as against the said Muthuvenkatapathy Reddiar. The same was objected by the said Muthuvenkatapathy Reddiar. The third respondent rejected his objections, against which, statutory appeal was filed before the Land Tribunal Puducherry under Section 46 of the Act in LTMCA No.17 of 1978 and the same was allowed by the Tribunal on 29.08.1979. Challenging the same, the third respondent filed revision before this Court in CRP No.37461 of 1980 and the same was dismissed by this Court on 20.11.1980. Thereafter, no further appeal was preferred and the order of the Tribunal dated 29.08.1979 attained finality.

4.The further case of the petitioners is that though the land reforms proceedings got set aside in the year 1979, the respondents 2 and 3 refuse to assign GLR value to the properties. The representation given by the petitioners to the respondents to assign GLR value for

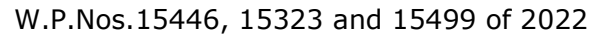


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their lands are pending consideration. Hence, the petitioners have filed these writ petitions for the aforesaid relief.

5.The learned counsel appearing for the petitioners submitted that this Court may issue direction to the respondents to implement the order of this Court dated 20.11.1980 made in CRP No.37461 of 1980, within a reasonable time frame.

6.The learned Additional Government Pleader (Puducherry) appearing for the respondents submitted that land reform proceedings was initiated against the original owner during the year 1977, against which, statutory appeal was filed before the Land Tribunal Puducherry under Section 46 of the Act in LTMCA No.17 of 1978 and the same was allowed by the Tribunal on 29.08.1979. Challenging the same, the third respondent filed revision before this Court in CRP No.37461 of 1980 and the same was dismissed by this Court on 20.11.1980. Thereafter it was decided to prefer special leave petition before the Hon'ble Supreme Court, however, the Supreme Court Standing Counsel opined that this is not a fit case for preferring special leave petition and hence, the lands acquired under the land reform proceedings were mooted to the Government. However, the



7. However, the learned Additional Government Pleader (Muzumdar), on instructions would submit that appropriate orders will be passed by the Government within a period of twelve weeks from the date of receipt of a copy of this order.

9. The facts in the present case is not in dispute. Admittedly, land reform proceedings was initiated against the original owner during the year 1977, against which, statutory appeal was filed before the Land Tribunal Puducherry under Section 46 of the Act in LTMCA No.17 of 1978 and the same was allowed by the Tribunal on 29.08.1979. Challenging the same, the third respondent filed revision before this Court in CRP No.37461 of 1980 and the same was dismissed by this Court on 20.11.1980. Thereafter, no further appeal was preferred and the order of the Tribunal dated 29.08.1979 attained finality.



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10.Necessarily, the respondents have to withdraw the land reforms proceedings by assigning GLR value for the subject lands. Hence, this Court directs the second respondent to pass appropriate orders, withdrawing the land reforms proceedings by assigning GLR value in respect of the subject lands, within a period of twelve weeks from the date of receipt of a copy of this order.

11.These writ petitions are accordingly disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

04.07.2022

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Speaking Order/ Non Speaking Order
Index: Yes/ No
Internet: Yes/ No

M.DHANDAPANI,J.



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