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W.P.No.25734 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.09.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.25734 of 2022

P.Ravikumar

... Petitioner

Vs.

1.The District Collector,
Erode District.

2.The Revenue Divisional Officer,
Gopichettypalayam, Erode District.

3.The Tahsildar, Sathyamangalam,
Erode District.

4.R.Nallasamy

5.A.Chellammal

6.A.Subramani

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to conduct thorough enquiry for reclassification of the lands to its original status and initiate departmental and other criminal action against the 3rd respondent on the basis of the representation of the petitioner dated 25.02.2022 within a time frame to be fixed by this Court.

For Petitioner	:	Mr.K.A.Mariappan
For R1 to R3	:	Mr.T.K.Saravanan, Government Advocate



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ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents 1 and 2 to conduct thorough enquiry for reclassification of the lands to its original status and initiate departmental and other criminal action against the 3rd respondent on the basis of the representation of the petitioner dated 25.02.2022 within a time frame to be fixed by this Court.

2. The case of the petitioner is that he belongs to Scheduled Caste Community and he came to know that the third respondent/Tahsildar, against the guidelines of assignment of land and Government order, granted conditional Patta in favour of one Mr.A.Subramani in respect of the lands in Survey No.4/3 of Sikkarasampalayam Village, measuring an extent of Hc.1.69.50 and Survey No.30/1 measuring an extent of Hc.2.06.60 and certified that the aforesaid lands are not coming under the classification of "Boomidhan", "Wakf Board" and "Panjami Lands" by certificate dated 20.10.2021. The grievance of the petitioner is that, in the year 2017, the subject property is classified as "Depressed Class" (in short, DC) land in the Revenue Records, however, contrary to the above, the third



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respondent/Tahsildar issued conditional patta in favour of said Subramani, who does not belonging to Scheduled Caste Community. Therefore, the petitioner made a representation dated 25.02.2022 before the respondents 1 and 2, seeking to conduct enquiry for re-classification of the said lands to its original status. However, the said representation was not considered by the respondents 1 and 2. Hence, the petitioner filed the present Writ Petition.

3. The learned counsel for the petitioner submitted that it would suffice, if this Court issues a direction to the respondents 1 and 2 to consider the petitioner's representation dated 25.02.2022 and pass orders within a stipulated time frame that has to be fixed by this Court.

4. On the above said contentions, heard the learned counsel for respective respondents and perused the materials available on record.

5. A perusal of the record, reveal that admittedly conditional Patta was granted in favour of one Subramani and the third respondent/Tahsildar issued a certificate that the said lands does not come under the classification of "Boomidhan", "Wakf Board" and "Panjami Lands". However, the petitioner claims that the aforesaid land is classified as DC lands. In order to



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prove the same, the petitioner has not produced any records. In the absence of any Revenue Records, claiming that the aforesaid land is classified as DC land, and seeking for cancellation of conditional Patta issued in favour of the sixth respondent by re-classification of the land is not sustainable. Hence, the prayer sought for in this Writ Petition cannot be granted. Accordingly, the Writ Petition is dismissed. No costs.

26.09.2022

Index : Yes / No
Speaking order: Yes/ No
jd

Note: Issue order copy on 20.10.2022.

To

- 1.The District Collector,
Erode District.
- 2.The Revenue Divisional Officer,
Gopichettypalayam, Erode District.
- 3.The Tahsildar, Sathyamangalam,
Erode District.



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M.DHANDAPANI, J.

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