

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.NOS.15011 AND 15012 OF 2014 AND
M.P.NO.1 OF 2014 (IN BOTH PETITIONS)

1.K.Murugananatham @ Kalimuthu

...Petitioner in W.P.No.15011/2014

2.K.Savithari (died)

...Petitioner in W.P.No.15012/2014

K.Kalimuthu

(L.R of the deceased writ petitioner
in W.P.No.15012/2014, is impleaded
vide order dated 25.04.2022 in
W.M.P.No.19274 of 2021)

Vs.

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

2.The Sub Collector (Revenue),
Karaikal, Puducherry.

...Respondents in both petitions

Prayer in W.P.No.15011/2014 : This Writ Petition filed under Section 226 of Constitution of India, pleaded to issue a Writ of Mandamus directing the respondents herein to release the lands of the petitioner situated in R.S.No.230/4A (O.S.No.821/1Pt) R.S.No.230/4B (O.S.No.821/1Pt) R.S.No.242/4A (O.S.No.707/1) R.S.No.242/B (O.S.No.707/2) and further extent of land situated in R.S.No.239/7A (O.S.No.721/1) and R.S.No.239/7B (O.S.No.721/2) except land situated in R.S.No.230/3A & 3B (O.S.No.821/2) for an extent of 0.45.00 hectares from the land ceiling proceedings of Thiru.S.Panchanathan Pillai and by removing the caption land ceiling of those lands and to fix G.L.R. Value of the same.

Prayer in W.P.No.15012/2014 : This Writ Petition filed under Section 226 of Constitution of India, pleaded to issue a Writ of Mandamus directing the respondents herein to release the lands of the petitioner situated at R.S.No.199/1A, which is form part

of O.S.No.117/1 117/4B/2A/1 117/4B/2A/2 117/4B/3A Part
117/4B/1B/B/B 117/1B/B-A 117/4B/1B/B-C at No.8 Puthakudi
Village, Nedukadu combune , Karaikal, except for an extent of
0.61.00 situated at O.S.No.117/4A and to issue direction to fix
G.L.R. Value for the said lands.

For Petitioner
in both petitions : Mr.N.Thiagarajan

For Respondents
in both petitions : Mr.J.Kumaran
Additional Government Pleader

COMMON ORDER

This petition has been filed for issuance of writ of
Mandamus to direct the respondents herein to release the lands
of the petitioner situated in and to issue direction to fix
G.L.R. Value for the said lands.

2. The case of the petitioner is that the petitioners'
father had purchased the above extent of lands from their
vendors and from the date of purchase, their father and his
predecessors in title are in possession of the lands and after
the death of the petitioner's father, by way of release deeds
dated 06.08.2012, executed by his mother and sister (Petitioner
in W.P.No.15012/2014), in favour of the petitioner in
W.P.No.15011/2014, became absolute owner of the property. While
so, when he applied for change of revenue records, to his shock
and surprise, it came to his knowledge that the said lands are
notified as 'O' value in pursuant to the land ceiling
proceedings initiated under the Pondicherry Land Reforms
(Fixation of Ceiling on land) Act, 1973, against the holding of
Thiru.S.S.Panchanatham Pillai, one of the vendor of the
petitioners' father, as he was having an extent of 5.9364
hectares, more than ceiling limit. After repeated requests, the
petitioners restricted their claim in accordance with draft
statement issued as early as in the year 1976 and 2001, by
representation dated 25.11.2013, pointing out that out of the
lands purchased and acquired by their father, as stated supra
only one land situated in O.S.No.821/2, for an extent of 0.45.00
hectares shown as surplus from the holding of erstwhile owner
and thereby requested the 1st respondent to remove the remaining
lands from the caption 'land ceiling' in all revenue records and
further requested to fix G.L.R value for the said lands. Since
the said representation has not been considered by the official
respondents, the petitioners are before this Court.

3. The learned counsel appearing for the petitioners
submitted that it would suffice if this Court issues direction

to the 2nd respondent to pass appropriate orders on the petitioners' application dated 25.11.2013, within a reasonable time as fixed by this Court.

4. The learned Additional Government Pleader (Puducherry) has no serious objections for the said order being passed.

5. Considering the facts and circumstances of the case, this Court without going into the merits of the claim projected by the petitioners, directs the 2nd respondent to pass appropriate orders on the petitioners representation dated 25.11.2013, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. These Writ Petitions are disposed of with the above observations. No costs. Consequently connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar

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To

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

2.The Sub Collector (Revenue),
Karaikal, Puducherry.

+2cc to Mr.N.Thiagarajan, Advocate Sr.No.28261

+1cc to the Government Pleader Sr.No.28136

W.P.Nos.15011 and 15012 of 2014

JPL(CO)
RVM(02/06/2022)