



W.P.No.20336 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.20336 of 2022

A.Ravichandran

... Petitioner

Vs.

1.The Chief Secretary to Government,
Government of Puducherry,
Puducherry.

2.The District Collector,
Karaikkal District,
Karaikkal 609 602,
Puducherry State.

3.The Deputy District Collector and Land Reform Officer,
Karaikkal District,
Karaikkal 609 602,
Puducherry State.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus, directing the respondents herein to remove/cancel the classification in the revenue records as well as the registration records, classifying the petitioner's lands comprised in Survey Nos.15/4 (Part), 15/5 (Part), 7/2, 9, 3, 27/3B, Re-Survey Nos.169/2 pt., 167/2 pt., 161/1, 161/2, 157/2 and 148/1 pt., measuring 10.08.38 Hectares as "Zero Value Land" by considering the petitioner's representation dated 09.11.2021 within a time frame fixed by this Court.



W.P.No.20336 of 2022

For Petitioner : Mr.L.Chandrakumar

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

ORDER

This petition has been filed to direct the respondents herein to remove/cancel the classification in the revenue records as well as the registration records, classifying the petitioner's lands comprised in Survey Nos.15/4 (Part), 15/5 (Part), 7/2, 9, 3, 27/3B, Re-Survey Nos.169/2 pt., 167/2 pt., 161/1, 161/2, 157/2 and 148/1 pt., measuring 10.08.38 Hectares as "Zero Value Land" by considering the petitioner's representation dated 09.11.2021 within a time frame fixed by this Court.

2. The petitioner's family were found holding property to an extent of 20.53.29 O.H., equal to 14.42.10 S.H of wet and dry lands at Elayankudi Village. After an enquiry, an extent of 8.42.10 S.H was declared as surplus land. An order under Section 8(2)(d) of the Pondicherry Land Forms (Fixation of Ceiling Land) Act, 1973, was passed on 07.09.1976 and the draft statement was published in Extraordinary State Gazette No.446 dated



W.P.No.20336 of 2022

25.09.1976 were served on the land owner on 16.09.1976 and 05.11.1976 respectively.

3. Challenging the said proceedings, the petitioner's father namely Appusamy, filed an appeal and subsequently an authorised officer passed an order dated 07.12.1976 under Section 9(6)(b) of the Act. Challenging the declaration of the surplus land, the petitioner's father filed an appeal before the Subordinate Judge, Karaikkal, in L.T.C.M.A.No.16 of 1977. The said appeal was allowed on 02.08.1977 and the Authorised officer was directed to exclude the petitioner's share on the premises that the petitioner had become major on the notified date. However, the said order has not been implemented. Hence the present writ petition.

4. The learned Additional Government Pleader (Puducherry), on instructions would submit that the order in L.T.C.M.A.No.16 of 1977 dated 02.08.1977 will be implemented within a period of four weeks from the date of receipt of a copy of this order.

5. The fact remains that as against the order passed by the



W.P.No.20336 of 2022

Subordinate Judge, Karaikkal, no appeal was preferred and thus that order became final and it appears that the order in L.T.C.M.A.No.16 of 1977 dated 02.08.1977 was not implemented.

6. In view of the above, this Court is inclined to direct the respondents to implement the order dated 02.08.1977 passed in L.T.C.M.A.No.16 of 1977 on the file of the Subordinate Judge, Karaikkal, by removing the "Zero Value Land".

7. With the above direction the writ petition stands disposed of. No costs.

15.09.2022

ata

Index: Yes/ No

Speaking / Non-Speaking

Note : Issue order copy on 26.10.2022.



WEB COPY



W.P.No.20336 of 2022

To

- 1.The Chief Secretary to Government,
Government of Puducherry,
Puducherry.
- 2.The District Collector,
Karaikkal District,
Karaikkal 609 602,
Puducherry State.
- 3.The Deputy District Collector and Land Reform Officer,
Karaikkal District,
Karaikkal 609 602,
Puducherry State.

M.DHANDAPANI,J.



WEB COPY



W.P.No.20336 of 2022

ata

W.P.No.20336 of 2022

15.09.2022