



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **13.06.2022**

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P. (MD) .No.1975 of 2012

and

M.P. (MD) .No.2 of 2012

Punithavathi

... Petitioner

Vs.

- 1.The District Collector,
Collectotrate,
Trichy - 1.
- 2.The Revenue Divisional Officer,
Collectorate,
Trichy - 1.
- 3.The Tahsildar,
Taluk Office,
Manapparai,
Trichy - 621 306.
- 4.The Deputy Tahsildar,
Taluk Office,
Manapparai,
Trichy - 621 306.
- 5.The Village Administrative Officer,
Pannapatti Keelapaga Hamlet,
related with
Pillaiyarkovilpatti,
Pannapatti Post,
Manapparai Taluk,
Trichy - 621 302.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the fourth respondent in his proceedings No.Moo.Mu.S1/642/2012 dated 30.01.2012 and quash the same and consequently direct the third respondent to entry the petitioner's



name in the Village 'A' Register of Pillaiyarkovilpatti Village, Manaparai Taluk, Pannapatti Keelpaga Hamlet Zone under assignment of Dharkasthu Patta No.A3/438/90/81 dated 25.07.1981 as per the petitioner's representation dated 19.12.2011.

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For Petitioner : Mr.N.R.Murugesan
For Respondents : Mr.N.Muthuvijayan,
Special Government Pleader.

ORDER

This Writ Petition has been filed challenging an order passed by the fourth respondent herein under which he has refused to incorporate the name of the petitioner in the Village accounts.

2. According to the petitioner, the lands were assigned in his favour by the Government and hence he is entitled to get his name incorporated in the revenue records. As per the impugned order, the fourth respondent rejected such a request on the ground that the writ petitioner has made some encroachment beyond the assigned lands and some proposals are pending for cancellation of the said assignment order. A mere pendency of the proposal for the cancellation of the assignment order cannot be an impediment for mutating the name of the writ petitioner in the Village accounts and other revenue records. In case, if the revenue authorities ultimately cancel the assignment order in favour of the writ petitioner, they are always at liberty to amend the said Village accounts and other revenue records in consonance with the cancellation order.

3. Hence, I do not find that the impugned order passed by the fourth respondent is sustainable in law. The impugned order is set aside. The third respondent is directed to enter the name of the petitioner in the Village 'A' Register. However, the allowing of the present Writ Petition will not preclude the authorities from proceeding with the cancellation of the assignment order, in case, if there is any violation.

4. With the above observation, this Writ Petition stands allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Nsr

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To

1.The District Collector,
Collectorate,
Trichy - 1.

2.The Revenue Divisional Officer,
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4.The Deputy Tahsildar,
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5.The Village Administrative Officer,
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related with
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+1 CC to M/s.N.R. MURUGESAN, Advocate (SR-25562[F] dated 14/06/2022)

Order made in
W.P.(MD).No.1975 of 2012
13.06.2022

NSN(CO)

GC(21.06.2022) 3P 7C