



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.4671 of 2022

WEB COPY

Ramaraj

... Petitioner

/Vs./

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

3.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 3rd respondent to rectify the classification of land in Survey No.1866/1B, Perunkudi Village Part II, Radhapuram Taluk, Tirunelveli District to an extent of 0.24.50 Hectares as "Rayatwari Punja" instead of Government Poramboke lands in pursuant to the order passed by the 2nd respondent by his proceedings dated 23.09.2021 in Mu.Mu.(A3)/6282/2021.

For Petitioner : Mr.V.Sasikumar

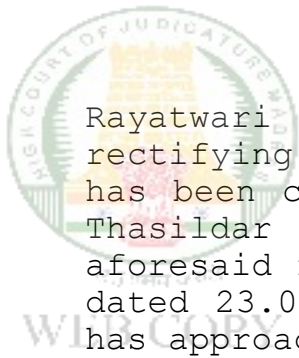
For Respondents : Mr.B.Saravanan

Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 3rd respondent to rectify the classification of land in Survey No.1866/1B, Perunkudi Village Part II, Radhapuram Taluk, Tirunelveli District to an extent of 0.24.50 Hectares as "Rayatwari Punja land" instead of "Government Poramboke land", pursuant to the order passed by the 2nd respondent by his proceedings dated 23.09.2021 in Mu.Mu.(A3)/6282/2021, within a time frame to be fixed by this Court.

2.It is the case of the petitioner that he is the absolute owner of the aforementioned property. However, according to him, in the revenue records, a wrong classification has been done as if the said property is a Government poramboke land, whereas it is a



Rayatwari Punja land. He has submitted an application seeking for rectifying the classification of the aforementioned land. The same has been considered by the second respondent, who has directed the Thasildar by his proceedings dated 23.09.2021 to rectify the aforesaid mistake. Since the proceedings of the second respondent dated 23.09.2021 has not been acted upon till date, the petitioner has approached this Court.

3.Heard Mr.V.Sasikumar, learned Counsel for the writ petitioner and Mr.B.Saravanan, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4.The learned counsel appearing for the petitioner drew the attention of this Court to the proceedings dated 23.09.2021 issued by the second respondent directing the third respondent to rectify the error in the classification of the land belonging to the petitioner. The land has been wrongly classified as Government Poramboke land, though the correct classification is Rayatwari Punja land.

5.Admittedly, the proceedings dated 23.09.2021 issued by the second respondent has not been acted upon till date. No prejudice would be caused to the respondents, if final orders are passed on the petitioner's application seeking for rectification of the classification of the land in Survey No.1866/1B, Perunkudi Village Part II, Radhapuram Taluk, Tirunelveli District to an extent of 0.24.50 Hectares as "Rayatwari Punja Land" instead of "Government Poramboke land", pursuant to the order passed by the second respondent by his proceedings dated 23.09.2021, within a time frame to be fixed by this Court, after affording a fair hearing to the petitioner.

6.Accordingly, this Court directs the third respondent to pass final orders on the petitioner's application seeking for rectification of the classification in respect of the land in Survey No.1866/1B, Perunkudi Village Part II, Radhapuram Taluk, Tirunelveli District to an extent of 0.24.50 Hectares as "Rayatwari Punja Land" instead of "Government Poramboke land", pursuant to the order passed by the second respondent by his proceedings dated 23.09.2021, after affording a fair hearing to the petitioner, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)



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To

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

3.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

+1 CC to M/s.SPL GP (SR-13018[F] dated 18/03/2022)

+1 CC to M/s.V.SASI KUMAR, Advocate (SR-13090[F] dated 18/03/2022)

order made in
W.P. [MD]No.4671 of 2022
17.03.2022

PKP/28.03.2022/3P/6C