



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.7472 of 2022

B.Chithiraivel

... Petitioner

vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The District Revenue Officer,
District Revenue Office,
Ramanathapuram District.

3.The Revenue Divisional Officer,
O/o.The Revenue Divisional Office,
Paramakudi Taluk, Ramanathapuram District.

4.The Tahsildar,
O/o.the Tahsildar, Paramakudi,
Ramanathapuram District.

5.The Block Development Officer,
(Panchayat Union),
Paramakudi, Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to rectify the wrong classification in respect of the petitioner's land in Survey No.119/32 and 119/28 situated at S.Kavanoor Village, Paramakudi Taluk, Ramanathapuram District which was wrongly classified as pathway and renumbered as Survey No.119/25 by considering the petitioner's representation dated 19.02.2022 within a time stipulated by this Court.

For Petitioner:Mr.T.Thirumurugan

For R1 to R4 :Mr.M.Lingadurai

Special Government Pleader

For R5 :Mr.K.S.Selvaganesan

Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to rectify the alleged wrong classification in respect of the petitioner's land in Survey No.119/32 and 119/28 situated at S.Kavanoor Village, Paramakudi Taluk, Ramanathapuram District, which was wrongly classified as



pathway and renumbered as Survey No.119/29 and 119/33 based on the petitioner's representation dated 19.02.2022 within a time frame to be fixed by this Court.

2.The case of the petitioner is that the aforementioned property has now been wrongly classified in the revenue records as a pathway, though a patta was issued for the very same property in the name of the petitioner in S.No.119/32 and 119/28. According to the petitioner, the property, which is the subject of the patta issued in his favour and the property bearing the present S.Nos.119/29 and 119/33 are one and the same. In such circumstances, he has given a representation on 19.02.2022. Since the said representation has not been considered till date, this Writ Petition has been filed.

3.Heard Mr.T.Thirumurugan, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader for R1 to R4 and Mr.K.S.Selvaganesan, learned Additional Government Pleader for the fifth respondent.

4.The learned Special Government Pleader, on instructions, would submit that only based on the revenue records, the subject property has been classified as a pathway. However, the same is disputed by the learned Counsel for the petitioner.

5.No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing.

6.Accordingly, this Court directs the third respondent to consider the petitioner's representation, dated 19.02.2022 requesting the third respondent to rectify the classification for Survey No.119/32 and 119/28 situated at S.Kavanoor Village, Paramakudi Taluk, Ramanathapuram District which was wrongly classified as pathway and renumbered as Survey Nos.119/29 and 119/33 and and pass final orders on merits in accordance with law after affording a fair hearing to the petitioner including granting him the right of personal hearing within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CRL SIDE)

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/ /2022

Sub Assistant Registrar(CS)



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Paramakudi, Ramanathapuram District.

+1 CC to M/s.T. THIRUMURUGAN, Advocate (SR-19855[F] dated 20/04/2022)

+1 CC to M/s.SPL.GP (SR-20118[F] dated 21/04/2022)

Order made in
W.P. (MD)No.7472 of 2022
20.04.2022

VR (CO)
TR(05.05.2022) 3P 8C