



W.P(MD)No.9740 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.12.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.9740 of 2019

Abdul Haji

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The District Revenue Officer,
Trichy District, Trichy.

3.The Revenue Divisional Officer,
Lalgudi, Trichy District.

4.The Tahsildar,
Manachanallur Taluk,
Manachanallur,
Trichy.

5.Shanmugasundaram ... Respondents
(R5 is impleaded vide order dated 12.12.2022 in
W.M.P.(MD)No.11824 of 2019 in
W.P.(MD)No.9740 of 2019 by GRSJ).

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to cancel the classification of Darisu and restore petitioner's name in the Revenue Record for the lands in Survey No.499/2, 499/4, 498/1, 498/1, 498/1 and 400/4



W.P(MD)No.9740 of 2019

of Sanamangalam village, Manachanallur Taluk, Trichy District as per the recommendation of the 3rd respondent in O.MU.A3/113-2019 dated 16/02/2019 by considering petitioners representation dated 21/12/2018.

For Petitioner : Mr.A.Haja Mohideen

For Respondents : Mr.A.K.Manikkam,
Spl. Government Pleader for R1 to R4.
Mr.S.Muthukrishnan for R5.

ORDER

Heard the learned counsel on either side.

2.The petitioner wants this Court to direct the official respondents to reclassify the petition mentioned lands and restore his name in the revenue record. Though in the prayer S.No.400/4 has also been included, that appears to be typographical mistake. Relief is sought in respect of S.Nos.499/2, 499/4, 498/1 and 499/5. The petitioner had purchased the said property under various sale deeds in 1994 and 1995. The details regarding purchase have been set out in the affidavit filed in support of the writ petition.

3.In normal circumstances, the relief sought for can very well be granted.

But then, there is one impediment coming in the way. The lands in question



W.P(MD)No.9740 of 2019

were assigned in favour of persons belonging to Adi Dravidar community. As per the terms of assignment, the assignee can sell the property after ten years in favour fellow Adi Dravidar community persons. The petitioner does not belong to scheduled caste community. Therefore, the District Collector had issued proceedings in Na.Ka.Aa2-39701-98 dated 22.04.2002 making changes in the revenue record and directing classification of the petition mentioned lands as Government poramboke. The petitioner has now been served with copy of the said order dated 22.04.2002. Unless the petitioner successfully challenges the said proceedings, no relief can be granted.

4.Granted liberty to the petitioner to question the said proceedings, the writ petition is dismissed. No costs.

21.12.2022

Index : Yes / No

Internet : Yes/ No

ias

To:

1.The District Collector,
Trichy District, Trichy.

2.The District Revenue Officer,
Trichy District, Trichy.

3.The Revenue Divisional Officer,
Lalgudi, Trichy District.

4.The Tahsildar, Manachanallur Taluk,
Manachanallur, Trichy.



WEB COPY



W.P(MD)No.9740 of 2019

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.9740 of 2019

21.12.2022