



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.03.2022

CORAM

THE HON'BLE MRS.JUSTICE S.ANANTHI

C.R.P(MD)No.1595 of 2014

and

C.M.P(MD)No.2 of 2014

WEB COPY

1.Land Assessment Officer,
Chennai.

2.Tahsildar,
Avudaiyarkovil, Pudukkottai District.

3.District Collector,
Rep.by Tamilnadu Government,
Pudukkottai.

...Petitioners/Respondents

Vs.

1.M.Panchanathan (Died)

2.Mariyammal

3.Ganeshan

...Respondents/Appellants

(Respondent 2 and 3 are brought on record as LRs of the deceased sole Respondent Vide Court Order dated 22.02.2022 made in CMP(MD). No.11072 of 2021 in CRP(MD).No.1595 of 2014)

PRAYER: Civil Revision Petition filed under Article 227 of the Constitution of India, to set aside the judgement and decree of the Sub court, Pudukkottai made in I.T.C.M.A No.1 of 2009 dated 20.11.2009.

For Petitioners : Mr.S.Kameswaran
Government Advocate
For R2- R3 : Mr.N.Balakrishnan

ORDER

The Civil Revision Petition has been filed to set aside the judgement and decree dated 20.11.2009 made in I.T.C.M.A No.1 of 2009 on the file of the learned Subordinate Judge, Pudukkottai.

2.Heard Mr.S.Kameswaran, learned Government Advocate appearing for the petitioners and Mr.N.Balakrishnan, learned counsel appearing for the second and third respondents.

3.The learned Government Advocate appearing for the petitioners submitted that the respondents herein purchased a land situated in S.No.10/3 at Memisal Village, Avudaiyarkovil, Pudukkottai District from one Noortheen by virtue of a registered sale deed, dated 04.09.1969 by virtue of Act No.26/1993 in Tamil Nadu Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963, the above lands



were classified as Government Poramboke and were taken by the Government from their possession. Hence, the respondents herein filed W.P.No.30069 of 2005, and this Court directed the first petitioner herein to conduct fresh enquiry as per law. Thereafter, the first petitioner cancelled the requisition of the respondent herein vide order dated 06.11.2008 in R.C.No.E1/6089/08.

4.Aggrrieved by the said order, the respondents herein filed an appeal in I.T.C.M.A.No.1 of 2009, for granting Ryotwari patta to the above said land situated at S.No.10/3 to an extent of 2.44 acres at Memissal Village, Avudaiyarkovil, Pudukkottai District, which was allowed by the learned Subordinate Judge, Pudukkottai and directed the first petitioner herein to grant Ryotwari patta to the land in question. Challenging the same, the petitioners have filed this Civil Revision Petition.

5.A perusal of records would show that any order passed under Section 46(1) of the Tamil Nadu Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963, the decision of the Tribunal must be challenged by the Government within a period of six months from the date of the decision before a Special Appellate Tribunal consisting of two Judges of the High Court nominated from time to time by the Chief Justice. But the revision petitioners have approached a wrong forum. Hence, this Civil Revision Petition is not at all maintainable against the order passed under the provisions of the The Tamil Nadu Inam Estates (Abolition and Conversion into Ryotwari) Act, 1963.

6.In view of the above, this Civil Revision Petition is disposed of. The revision petitioners are directed to approach Appellate Tribunal as per Act. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-II)

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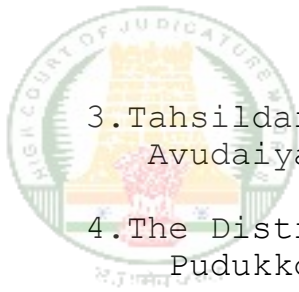
Sub Assistant Registrar(CS)

vsd

To:

1.The Subordinate Judge,
Pudukkottai.

2.Land Assessment Officer,
Chennai.



3.Tahsildar,
Avudaiyarkovil, Pudukkottai District.

4.The District Collector,
Pudukkottai.

Copy to:

The Section Officer, V.R.Section,
Madurai Bench of Madras High Court, Madurai. (2 COPIES)

+1 CC to M/s.N.BALAKRISHNAN, Advocate (SR-14615[F] dated 25/03/2022)

+1 CC to M/s.SPL GP (SR-14282[F] dated 24/03/2022)

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RD(01.06.2022) 3P 9C