



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.02.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.2683 of 2014

Viswanathan

... Petitioner

vs.

1.The District Collector,
Collectorate, Thanjavur District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Kumbakona, Thanjavur District.

3.The Tahsildar,
Taluk Office, Papanasam,
Thanjavur District.

4.The Divisional Railway Manager,
Southern Railway, Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 1 to 3 to consider the petitioner's representation, dated 25.02.2013 to initiate necessary action for change of classification for R.S.No.387/C of Saliyamangalam Village of Papanasam Taluk in Thanjavur District from "Railway Permanent" to Government Poramboke and assign the land to the petitioner according to individual holding on receiving the market value.

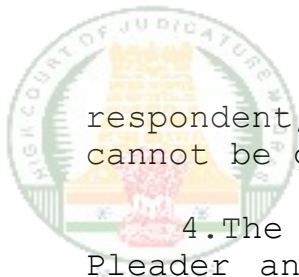
For Petitioner	:Mr.C.Padmaraj
For R1 to R3	:Mr.D.Sasikumar
	Additional Government Pleader
For R4	:Mr.S.Manohar

O R D E R

This Writ Petition has been filed for a Mandamus seeking for change of classification of the land, which is the subject matter of this Writ Petition based on the representation, dated 25.02.2013.

2.The learned Additional Government Pleader appearing for the respondents 1 to 3, on instructions, would submit that the relief sought for in the Writ Petition can be considered only by the District Revenue Officer, Thanjavur, who is not a party to the Writ Petition.

3.The learned Standing Counsel appearing for the fourth respondent also would submit that without hearing the fourth



respondent, the relief sought for in the petitioner's representation cannot be granted.

4.The statement made by the learned Additional Government Pleader and the learned Standing Counsel appearing for the fourth respondent is recorded by this Court.

5.Therefore, this Court is of the view that once a fresh representation is given by the petitioner to the District Revenue Officer, Thanjavur, requesting for re-classification of the land, which is the subject matter of this Writ Petition, the said representation will have to be considered by the District Revenue Officer, Thanjavur District, after giving notice to the fourth respondent, who is interested in the subject property. For this, the learned Counsel for the petitioner is also agreeable to give a fresh representation to the District Revenue Officer, Thanjavur District seeking for re-classification of the land in respect of R.S.No.387/C of Saliyamangalam Village of Papanasam Taluk in Thanjavur District from "Railway Permanent"to Government Poramboke and for assignment of the land to the petitioner according to individual holding on receiving the market value.

6.After recording the statement made by the respective Counsels, this Court directs the petitioner to give a fresh representation to the District Revenue Officer, Thanjavur District with regard to the request for re-classification of the aforementioned land from "Railway Permanent"to Government Poramboke and for assignment of the land to the petitioner according to individual holding on receiving the market value within a period of two weeks from the date of receipt of a copy of this order. On receipt of the said representation, the District Revenue Officer, Thanjavur, is directed to pass final orders on the said representation within a period of three months thereafter after giving notice to the fourth respondent and further after affording a fair hearing to the petitioner and the fourth respondent.

7.With the said observations, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr



To

1.The District Collector,
Collectorate, Thanjavur District.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kumbakona, Thanjavur District.

3.The Tahsildar,
Taluk Office, Papanasam,
Thanjavur District.

4.The District Revenue Officer,
Thanjavur.

5.The Divisional Railway Manager,
Southern Railway, Trichy.

+1 CC to M/s.SPL GP (SR-4732[F] dated 08/02/2022)

+1 CC to M/s.S.MANO HAR, Advocate (SR-4845[F] dated 08/02/2022)

+1 CC to M/s.K.VAITHILINGAM, Advocate (SR-4948[F] dated
09/02/2022)

W.P. (MD)No.2683 of 2014
07.02.2022

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