



W.P(MD)No.20473 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.07.2022

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.20473 of 2021

Chellapandian

... Petitioner

Vs.

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.
- 3.The Village Administrative Officer,
Eruveli Group, Eruveli,
Kadaladi Taluk,
Ramanathapuram District.
- 4.The Village Administrative Officer,
S.Vakaikulam Group, S.Vakaikulam,
Kadaladi Taluk,
Ramanathapuram District.
- 5.S.Amutha

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents 2 to 4 to register the petitioner's land details under Crop Insurance scheme and to issue certificate to that effect within a time fixed by this Court.

For Petitioner : Mr.PT.S.Narendravasan

For Respondents : Mr.M.Prakash,
Addl. Government Pleader for R1 to R4.
Mr.Babu Rajendran for R5.

ORDER

Heard the learned counsel on either side.

2.The writ petitioner and the fifth respondent are brother and sister. The fifth respondent had filed O.S.No.50 of 2019 on the file of the Sub Court, Mudukulathur seeking partition. The petitioner is an agriculturist. He wants the petition mentioned land details to be registered by the revenue authorities particularly the second respondent so that the petitioner can claim crop insurance. On account of the objection raised by the fifth respondent, the second respondent had instructed the jurisdictional Village Administrative Officers not to register the land details. In my view, this approach adopted by



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the second respondent is not correct. The issue has also not become infructuous, since this issue is going to arise every year. The fifth respondent is not going to gain in any manner, if the petitioner's request is rejected. Therefore, the respondents 2 to 4 are is directed to enter the petition mentioned land details the relevant register so as enable the petitioner to claim the benefit of crop insurance. I make it clear that merely because the petition mentioned land details have been entered in the relevant register pursuant to the direction of this Court, that would not mean that lands are the exclusive and absolute property of the writ petitioner. The rights of the parties will have to necessarily abide by the outcome of the partition suit instituted by the fifth respondent. The writ petition is allowed. The learned Sub Court, Mudukulathur is directed of dispose of the partition suit on merits and in accordance with law within a period of eight months from the date of receipt of a copy of this order. No costs.

29.07.2022

Index : Yes / No

Internet : Yes/ No

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Issue order copy on 01.08.2022

Note:- The Registry is directed to mark a copy of this order to the learned Sub Judge, Mudukulathur.



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G.R.SWAMINATHAN, J.

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