



W.P.(MD)No.22662 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 22.11.2022

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THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.22662 of 2022

Thiyagarajan, S/o.Nataraja Pillai

.. Petitioner

Versus

1.The Commissioner of Land Reforms,
O/o. the Commissioner of Land Reforms,
Ezhilagam, Chepauk,
Chennai – 600 005.

2.The Joint Director,
O/o. the Commissioner of Land Reforms,
Ezhilagam, Chepauk,
Chennai – 600 005.

3.The District Collector,
Madurai District,
Madurai.

4.The District Revenue Officer,
Madurai District,
Madurai.

5.The Revenue Divisional Officer,
Madurai East Division,
Madurai.

6.The Tahsildar,
Madurai East Taluk,
Madurai District.

.. Respondents



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Prayer:-Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents particularly, the first respondent to cancel the acquisition proceedings and to cancel the assignment and to issue Patta to the petitioner and his children namely, Shanthi, Balamurugan, Indrani and Selvaraj, in respect of the property in Survey No.1/6, Kathakinaru village, Madurai East Taluk, Madurai District, by considering the petitioner's representation dated 24.08.2022, within a time frame to be fixed by this Court.

For Petitioner	:	Mr.K.Navaneetharaja
For Respondents	:	Mr.A.Kannan Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents particularly, the first respondent to cancel the acquisition proceedings and to cancel the assignment and to issue Patta to him and his children namely, Shanthi, Balamurugan, Indrani and Selvaraj, in respect of the property in Survey No.1/6, Kathakinaru village, Madurai East Taluk, Madurai District, by considering his representation dated 24.08.2022, within a time frame.

2. Heard Mr.K.Navaneetharaja, learned counsel appearing for the petitioner and Mr.A.Kannan, learned Additional Government Pleader appearing for the respondents.



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3. According to the learned counsel for the petitioner, the property in question originally belonged to the petitioner's wife's ancestor namely, Thiraviampillai. Thereafter, the petitioner's wife inherited the said property and after her demise, the petitioner and his children are in possession and enjoyment of the same. Later, the petitioner came to know that the property in S.No.1/6 was wrongly acquired from one Pichammal, W/o.Muthusamy Pillai under the Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Act, 1961. In fact, the said Pichammal, W/o.Muthusamy Pillai, died on 12.09.1984 and the said order was passed on 27.03.1985, i.e., after the death of the said Pichammal. Subsequently, the said land was assigned by the Government to various persons. Therefore, petitioner sent a representation to the fifth respondent seeking to cancel the acquisition proceedings and cancel the assignment issued in favour of the above said persons. Based on the said representation, the fifth respondent conducted an enquiry and passed an order dated 11.07.2022, observing that as per settlement records, the property in S.No.1/6 stood in the name of Ponnammal, who is the grandmother of the petitioner's wife and it was wrongly acquired from Pichammal. Hence, the petitioner made a representation before the first respondent. Since no action has been taken so far, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.



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4. The learned Additional Government Pleader appearing for the respondents submitted that representation of the petitioner, dated 24.08.2022, would be considered and appropriate orders would be passed, within a time frame to be fixed by this Court.

5. Recording the submission made by the learned Additional Government Pleader appearing for the respondents, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 24.08.2022, and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No
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V.BHAVANI SUBBAROYAN, J.

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Order made in
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