



W.P.(MD)No.23534 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.23534 of 2022

Susila Devi

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.

3.Christopher

4.S.Isakkiyappan

The fourth respondent is impleaded
as per the order of this Court in
W.M.P.(MD).No.19975 of 2022,
dated 25.11.2022.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, forbearing the respondents from burying the dead bodies of Adi Dravidar Community people or any other people in the petitioner's property situated in S.No.2222/1 measuring an extent of 8 cents in Perungudi Village, Radhapuram Taluk, Tirunelveli District till the disposal of her representation, dated 20.08.2022 sent to the first respondent.



W.P(MD)No.23534 of 2022

For Petitioner : Mr.A.Arumugam

For R1 & R2 : Mr.A.Kannan
Additional Government Pleader

For R3 : No appearance

For R4 : Mr.V.Janakiramulu

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, forbearing the respondents from burying the dead bodies of Adi Dravidar Community people or any other people in the petitioner's property situated in S.No.2222/1 measuring an extent of 8 cents in Perungudi Village, Radhapuram Taluk, Tirunelveli District, till the disposal of her representation, dated 20.08.2022, sent to the first respondent.

2. The case of the petitioner is that she is the owner of the land in S.No. 2222/1 measuring an extent of 8 cents in Perungudi Village, Radhapuram Taluk, Tirunelveli District and she is in possession and enjoyment of the same. However, during UDR, it has been wrongly classified as Mayanam belonging to Adi Dravidar Community people. Hence, the petitioner has made a representation dated 20.08.202, to the respondents 1 and 2. The Sub Collector has called upon the Village Administrative Officer to submit a report. The VAO has clearly stated in his report that the said property is the petitioner's punja



W.P(MD)No.23534 of 2022

property and also given legal advice that soon the wrong classification done by the District Collector will be cancelled and patta will be given in the petitioner's name. However, the same was not considered till date. Hence, the present writ petition has been filed.

3. Heard the learned counsel appearing for the petitioner, learned Additional Government Pleader appearing for the respondents 1 and 2 and the learned counsel appearing for the fourth respondent.

4. Considering the above facts, this Court, without expressing any opinion on the merits of the matter, directs the respondents 1 and 2 to consider the petitioner's representation dated 20.08.2022 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of sixteen weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

25.11.2022

Index : Yes / No
Internet : Yes/ No
akv



W.P(MD)No.23534 of 2022

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- To
- 1.The District Collector,
Tirunelveli District,
Tirunelveli.
 - 2.The Tahsildar,
Radhapuram Taluk,
Tirunelveli District.



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W.P.(MD)No.23534 of 2022

V.BHAVANI SUBBAROYAN, J.

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W.P.(MD)No.23534 of 2022

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