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W.P.No.31092 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **22.11.2023**

CORAM :
THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.31092 of 2023
and
W.M.P.Nos.30718 & 30719 of 2023

1. J. Jayalakshmi

2. J. Madhumitha Sri

... Petitioners

Versus

1.The Chief Secretary,
Government of Puduchery,
Puduchery,
Puduchery State.

2. The Deputy Collector for Revenue-Cum-
Land Reform Officer,
Karaikkal – 609 605.
Puduchery State.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the second respondent to consider the petitioner's representation dated 05.08.2023 and pass orders removing the entry of “Zero Value Lands” in the revenue records and other records in respect of the lands comprised in R.S.Nos.150/1, 153/3, 153/4 and 154/2, situated at Ilayankudi Village,



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Devamapuram, Tirunallar Revenue, Karaikkal District, Puduchery State,
within a time frame as may be fixed by this Hon'ble Court.

For Petitioners : Mr. G. Thamizharasu

For Respondents : No appearance

ORDER

This Writ Petition is filed for “simplicitor mandamus”, to direct the second respondent to consider the petitioner's representation dated 05.08.2023 and pass orders for removing the entry of “zero value lands” made in the Revenue Records and other records in respect of the lands comprised in R.S.Nos.150/1, 153/3, 153/4 and 154/2, situated at Ilayankudi Village, Devamapuram, Tirunallar Revenue, Karaikkal District, Puduchery State, within a time frame as may be fixed by this Court.

2. It is the case of the petitioners that the lands were belonging to one Jayachandran, who is the husband of the first petitioner and father of the second petitioner herein. Originally, the lands were subjected to the land reform proceedings by the second respondent herein in M.r. No.1/49, which were initiated against one Ramakrishna Naicker and the excess lands were declared in the Gazette and thereafter, it was concluded in the



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year 1979, but, till date the respondents have not handed over any physical possession of the above lands. After the death of the said Ramakrishna Naicker, the lands were partitioned among the legal heirs, the said Jayachandran, is one of the legal heirs of the said Ramakrishna Naicker. According to the petitioners, the said Jayachandran paid the tax/kist for the said lands and obtained a separate Patta in his name. The lands were used for agricultural purposes. During the year 2008, the respondents have made an entry in the Revenue Records as “zero value lands”. Therefore, the petitioners cannot sell or create any encumbrance over the said lands. Though the land reform proceedings ended in the year 1979 itself, thereafter, the term “zero value lands” entry was made in the Revenue Records by the respondents, which is vitiated in law. Further, the respondents have forcibly taken the lands from the petitioners and threatened them. Therefore, the petitioners sent a letter dated 20.10.2023 to the respondents to consider their prior representation dated 05.08.2023 sent by them, for removing the entry of zero valuation made in the Revenue Records. Having no other option left open to the petitioners, they have filed the Writ Petition for the above said relief.



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3. Though the learned counsel for the petitioners submitted that no compensation was paid and no Award was also passed, but, the possession was taken by the respondents from the petitioners. Therefore, the petitioners made a representation dated 05.08.2023 to the respondents to remove the entry made on the petitioners lands as “zero value lands” in the Revenue Records and other concerned records, and thereafter, the petitioners sent a letter dated 20.10.2023 to consider their representation, even thereafter, the respondents have not considered the petitioners' request with regard to the same. Since the income from the said lands only are used to eke out their life, they filed the present Writ Petition before this Court for the relief stated supra.

4. Since this petition is filed for limited paryer to consider the representation dated 05.08.2023 and to direct the respondents to consider the representation, the respondents are directed to consider the petitioners' representation dated 05.08.2023 and issue notice to the petitioners and any rival claimants/interested persons if any, and conduct an enquiry in a manner known to law and pass appropriate orders in accordance with law, within a period of two months from the date of receipt of a copy of this



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order.

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5. With the above directions, the Writ Petition is disposed of. However, there shall be no order as to costs. Consequently, WMP.30719/2023 is closed. WMP.30718 /2023 is ordered subject to payment of separate Court fee by the other petitioner.

22.11.2023

Index : Yes/No

Speaking order : Yes/No

Neutral Case Citation : Yes/No

klt

To:

1. The Chief Secretary,
Government of Puduchery,
Puduchery,
Puduchery State.
2. The Deputy Collector for Revenue-Cum-
Land Reform Officer,
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P. VELMURUGAN, J.

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