

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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DATED: 15.12.2023**CORAM****THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN****W.P.(MD)No.14300 of 2023**

1. K.Avudaithai

2. P.Barani

... Petitioners

Vs.

1. The District Collector,
O/o.District Collectorate,
Tuticorin District.2. The Divisional Revenue Officer,
O/o.DRO Office,
Kovilpatti,
Tuticorin District.3. The Revenue Divisional Officer,
O/o.of RDO Office,
Kovilpatti,
Tuticorin District.4. The Tahsildar,
Kovilpatti,
Tuticorin District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to fix the fine amount along with interest and accept the said amount from the petitioner's herein and reassign the lands in S.No. 204/1, 241/2, 242/3, 243/1, 254/5, 254/7, 255 and 259/1B situated at Idaiseval Village, Kovilpatti



Taluk, Tuticorin District, in the petitioner's name within the time frame fixed by this Court.

For Petitioner : Ms.Porkodi Karnan,
for M/s.Polex Legal Solutions.
For Respondents: Mr.K.Balasubramani,
Special Government Pleader.

* * *

ORDER

Heard both sides.

2. The petition-mentioned lands belonged to the first petitioner's father-in-law. It appears that he had unauthorisedly cut palm trees belonging to Government in the year 1977. A sum of Rs.3,165/- was imposed as fine on him. The fine amount was not paid. Hence, the Government took over the petition-mentioned lands in the auction held in the year 1978. As on date, the lands continued to be shown as the Government lands in the revenue record. The petitioners came forward to pay the fine amount with interest and sought re-assignment. In this regard, the first petitioner and others filed O.S.No.25 of 2012 on the file of the District Munsif, Kovilpatti. The Government of Tamil Nadu was shown as the



first defendant. The suit was decreed on 06.08.2014. The decree has become final.

3. The petitioners have been submitting representations ever since. Since they were not considered, the present writ petition came to be filed.

4. When the matter was taken up for hearing, the learned Special Government Pleader submitted that a recommendation proposal has been submitted to the second respondent. The second respondent is directed to quantify the amount payable by the legal heirs of the deceased Ramakrishnasamy Naicker. This shall be done by the second respondent within a period of eight weeks from the date of receipt of a copy of this order. Upon the petitioners paying the amount determined by the second respondent, the land in question shall be re-assigned in the names of the legal heirs of the deceased Ramakrishnasamy Naicker. This writ petition stands allowed on these terms. No costs.

15.12.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
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G.R.SWAMINATHAN,J.

PMU

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