



W.P.(MD)No.15676 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P.(MD)No.15676 of 2023
and W.M.P(MD)No.13153 of 2023

T.Duraisamy

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Palani Union,
Dindigul District.

3.The Tahsildar,
Palani Taluk,
Dindigul District.

4.The Panchayat President,
Amarapoondi Panchayat,
Palani Taluk,
Dindigul District

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus directing the



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respondents 2 and 3 to considering the petitioner's representation dated 07.06.2023 for change the patta in favour of the petitioner in Survey No.305/1 and 305/2 Amarapoondi Village, Palani Taluk, Dindigul District within the period stipulated by this Court.

For Petitioner : Mr.T.Ramasamy
For R1 to R3 : M/s D.Farjana Ghoushia
Special Government Pleader
For R4 : Mr.D.Sasi Kumar

ORDER

This Writ Petition has been filed in the nature of Mandamus seeking a direction to the respondents 2 and 3, the Revenue Divisional Officer and the Tahsildar, Palani, Dindigul District to consider the petitioner's representation dated 07.06.2023 and change the patta in favour of the petitioner in Survey No.305/1 and 305/2 Amarapoondi Village, Palani Taluk, Dindigul District.

2. In the affidavit filed in support of this Writ Petition, it had been stated that the petitioner had purchased a larger area of land



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measuring 7 acres and 31 cents in Survey No.305/1 and 305/2 Amarapoondi Village, Palani Taluk, Dindigul District, by way of a registered sale deed and registered as document No.544/1964 dated 27.07.1964. It had been stated that the petitioner and his family members have been cultivating the land. There has been a partition and the same has been registered as document No.1039/4 dated 10.09.2004. However, it is also stated that out of 7.31 acres, 2 acres have been classified as 'Kulam'. The petitioner states that such classification may be re-classified in the name of the petitioner herein.

3. A Division Bench of this Court has given a specific direction that oorani/kulams will be preserved and the name of the individuals cannot be mutated with respect to that land. It is also brought to the notice of this Court by the learned counsel for the fourth respondent that an order in this regard had also been passed in respect of the very same land by the Revenue Divisional Officer, Dindigul District in 10933/2022/A1 dated 21.12.2022.



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4. The petitioner is at liberty to work out his remedy and to act on the same to re-classify the land as sought for by the petitioner. A mandamus cannot be issued in this regard or to direct the respondent even to consider the representation.

5. The petitioner is at liberty to take steps in the manner known to law questioning the order passed by the Revenue Divisional Officer, aforementioned. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

30.06.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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To,

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C.V.KARTHIKEYAN, J.

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30.06.2023