



W.P.(MD)No.18311 of 2014

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.18311 of 2014

1. J.Shanthi
2. J.Grace Marial
3. J.Francis
4. J.Jeyakumar
5. J.Regan

... Petitioners

versus

1. The Joint Commissioner
(Land Reforms),
Tirunelveli – 627 002.
2. The Assistant Commissioner,
(Land Reforms),
Tirunelveli – 627 002.
3. The Tahsildar,
Ambasamudram Taluk,
Ambasamudram – 627 401
Tirunelveli District.
4. The Additional Personal Assistant
(Land) to the Collector,
Collectorate,
Tirunelveli – 627 009.

... Respondents



W.P.(MD)No.18311 of 2014

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the proceedings in Endorsement No.C4/MRIV/66/AMB dated 28.08.2012 on the file of the first respondent herein and to quash the same and direct the respondents 1 and 2 to issue appropriate orders for the transfer of the lands to an extent of 3 acres and 6 cents bearing Survey No.757/1A, in Melaseval Village in Ambasamudram Taluk in Tirunelveli District or any other corresponding Survey numbers in the same village to the same extent of 3 acres and 6 cents and confer with proper orders of assignment for the lands assigned to V.Jeyaverran, together with the appropriate revenue patta in the name of the petitioners by the respondents, within a time frame as may be fixed by this Court.

For Petitioners : Mr.M.Murugan
For Respondents : Mr.S.Shaji Bino,
Special Government Pleader

ORDER

The petitioners claim that a land, to an extent of 3 acres and 6 cents in Survey No.757/1A, situated at Melaseval Village, was assigned to their father one late V.Jeyaveeran. However, the first respondent, by



W.P.(MD)No.18311 of 2014

impugned proceedings dated 28.08.2012, claims that there was no such large extent of land available in Survey No.757/1A and the land to an extent of 0.32.0 hectare, which is equivalent to 0.79 acre, is available in Survey No.757 and therefore, it has been wrongly typed as 3.06 acres instead of 0.79 acres. Challenging the same, the present writ petition has been filed.

2. Though this writ petition was filed in the year 2014, the respondents have not responded the writ petition by filing any counter affidavit. Therefore, this Court, by order dated 22.06.2023, has directed the first respondent to be present before this Court.

3. Today, when the matter is taken up for hearing, Mr.Mohammed Shabbir Alam, IAS, Sub Collector, Cheranmahadevi, Tirunelveli, has appeared before this Court and submits that some of the officers have committed certain mistake and in this regard, enquiry has been contemplated on the direction of this Court issued in another



W.P.(MD)No.18311 of 2014

writ petition and they have also conducted an enquiry with regard to all these affairs. He further submits that the case of the petitioner would also be considered and necessary action would be taken.

4. Considering the submission made by the Sub Collector, Cheranmahadevi, Tirunelveli that an enquiry has already been contemplated, this writ petition is disposed of, with a direction to the Sub Collector, Cheranmahadevi, Tirunelveli, to conduct an enquiry with regard to the case of the petitioner also and pass suitable orders within a period of six months from the date of receipt of a copy of this order. No costs.

30.06.2023

ogy
NCC : Yes / No.
Index : Yes / No.
Internet : Yes / No.

To

1. Mr.Mohammed Shabbir Alam, IAS,
Sub Collector,
Cheranmahadevi, Tirunelveli.



W.P.(MD)No.18311 of 2014

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W.P.(MD)No.18311 of 2014

B.PUGALENDHI, J.

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W.P.(MD)No.18311 of 2014

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