



WP(MD)No.18352 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 24.04.2023

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

WP(MD)No.18352 of 2016

and

WMP(MD)No.13219 of 2016

M.Guruvaiah

... Petitioner

Vs

- 1.The Secretary to Government,
Land Reforms and Revenue Department,
St.George Fort, Chennai.
- 2.The Commissioner(Land Reforms),
Land Reforms Department,
Ezhilagam, Chepauk,
Chennai -5.
- 3.The District Collector,
Collectorate, Virudhunagar,
Virudhunagar District.
- 4.The District Revenue Officer,
in charge of Joint Commissioner Land Reforms,
Collectorate, Virudhunagar.
- 5.The Revenue Divisional,
Sivakasi.
- 6.The National Five Works,
Under dissolution duly represented
by one of the Officials Receivers
V.A.Kodiswaran,
Police Station Road,
Sivakasi.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking a writ of certiorarified mandamus calling for the records of the impugned order of the 3rd respondent herein in his proceedings in Na.Ka.L.R2/35305/2015 dated 07.04.2016 and quash the same and consequentially quash the gazette notification issued by the 1st respondent in GO.Ms.No.387 Revenue Department dated 02.11.2012 and further direct the 3rd respondent to correct the revenue records and restore the assignment order dated 03.06.1996 under Rule 8(6) of the Tamil Nadu Land Reforms (Disposal of Surplus Land) Rules 1965 in respect of land in Survey No.1380/3 to an extent of 1 Acre, Anaiyur Village, Sathur Taluk, Virudhunagar District within a stipulated time fixed by the Court.

For Petitioner : No representation
For Respondent : Mr.G.V.Vairam Santhosh,
Nos.1 to 5 Additional Government Pleader
For Respondent : Mr.S.Parthasarathy
No.6

ORDER

This writ petition is filed as against the order of the 3rd respondent in his proceedings in Na.Ka.L.R2/35305/2015 dated 07.04.2016 and the gazette notification issued by the



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1st respondent in GO.Ms.No.387 Revenue Department dated 02.11.2012 and for consequential directions.

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2. There is no representation for the petitioner.

3. The learned Counsel for respondent No.6 submits that the original order passed under Sections 12 and 18(1) of the Tamil Nadu Land Reforms Act was challenged by the land owner before the Land Commissioner in the year 1997 in RP.No.84 of 1996 and the same was allowed by order dated 07.05.1997. The impugned proceedings dated 07.04.2016 has been issued pursuant to the orders dated 07.05.1997. However, the petitioner without challenging the original order dated 07.05.1997 passed in RP.No.84 of 1996, has filed this writ petition challenging the subsequent proceedings. Further this Court in a similar writ petition in WP(MD)No.14847 of 2012, dated 11.08.2012 held that without challenging the order of the original authority, the writ petition filed challenging the consequential order, is not maintainable.



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4. In view of the above submission that the original order is not challenged and only consequential order is challenged, this petition is dismissed. No costs. Consequently connected miscellaneous petition is also dismissed.

24.04.2023

Internet : Yes / No

dsk

To

1. The District Collector,
Collectorate, Madurai.
2. The District Revenue Officer,
Collectorate Complex,
Madurai.
3. The Tahsildar,
North Taluk Office,
Madurai.
4. The Tahsildar,
South Taluk Office,
Madurai.
5. The Zonal Deputy Tahsildar,
South Taluk Office,
Madurai.
6. The Head Quarters Deputy Tahsildar,
North Taluk, Madurai.
7. The Zonal Deputy Tahsildar,
Madurai East Taluk,
Madurai.

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B. PUGALENDHI, J.

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