



W.A(MD)Nos.411 and 423 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2023

CORAM:

**THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN
and
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

W.A(MD)Nos.411 and 423 of 2023

W.A(MD)No.411 of 2023:

Shanmugam

... Appellant/5th respondent

-VS-

1.Meenambal

...1st Respondent/Writ Petitioner

2.The District Collector,
Pudukottai District,
Pudukottai.

3.The Revenue Divisional Officer,
Aranthangi Sub-Division,
Aranthangi Taluk,
Pudukottai District.

4.The Thasildar,
Aranthangi Taluk,
Pudukottai District.

5.Ramakrishnan

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the common
order dated 07.07.2022 made in W.P(MD)No.6184 of 2022.



W.A(MD)Nos.411 and 423 of 2023

W.A(MD)No.423 of 2023:

Shanmugam

... Appellant.5th respondent

-VS-

1. Viji

... 1st Respondent/Writ Petitioner

2.The Revenue Divisional Officer,
Aranthangi,
Pudukottai District.

3.The Thasildar,
Aranthangi Taluk,
Pudukottai District.

... Respondents

PRAYER:Appeal filed under Clause 15 of Letters Patent, against the common order dated 07.07.2022 made in W.P(MD)No.11679 of 2022.

For Appellant : Mr.J.John

For Respondents : Mr.V.Nirmal Kumar,
Government Advocate
(For R-2 to R-4 in W.A(MD)No.411/2023)
(For R-2 & R-3 in W.A(MD)No.423/2023)

COMMON JUDGMENT

[Judgment of the Court was made by R.SUBRAMANIAN, J.]

Being aggrieved by the common order, dated 07.07.2022, passed by the Writ Court, in W.P(MD)Nos.6184 and 11679 of 2022, the appellant has filed these writ appeals.



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2. The writ petitions filed by the first respondent have been allowed by the Writ Court mainly on the ground that principles of natural justice have been violated and that the Officer competent has not exercised the jurisdiction.

3. The learned counsel appearing for the appellant would rely upon a Government Order in G.O.Ms.No.129 Revenue (SS.II(1) Department, dated 18.02.1998 and the notification issued by the Government pursuant to it stating that instead of the words "Assistant Settlement Officer", the words "Revenue Divisional Officer" have been substituted in G.O.Ms.No.693 Revenue Department, dated 24.07.1997. The land in question is classified as Natham and was dealt with under the Natham Land Revenue Scheme(நத்தம் நில வரித்திட்டம்). Under the said Scheme, correction of mistake will have to be done only by the Commissioner of Land Administration not by any other Officer. The Writ Court had found that the Revenue Divisional Officer had no jurisdiction to correct said mistake. The Writ Court had also found that the first respondent in both the appeals, who will be directly affected by said re-classification were not heard and therefore, there was a breach of principles of natural justice.



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4. The Government Order relied upon by the learned counsel for the appellant relates to transfer of powers of 'Assistant Settlement Officers' to 'Revenue Divisional Officer', in cases where Natham pattas have been issued. The same cannot be applied to re-classification of the land, which has to be done only by the Commissioner of Land Administration. Hence, we do not find any merit in the appeal.

5. The writ appeals fail and are accordingly dismissed. The appellant is permitted to make his representation within a period of four weeks from the date of receipt of a copy of this judgment. No Costs. Consequently, connected miscellaneous petitions are closed.

[R.S.M., J.]

[L.V.G., J.]

12.04.2023

NCC :Yes/No

Index :Yes/No

PM



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Pudukottai District.



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L.VICTORIA GOWRI, J.

pm

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