



WEB COPY



W.P.No.1401 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2024

CORAM :

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.1401 of 2024

K.Kariyappan

... Petitioner

Versus

1.The Special District Revenue Officer (Stamps),
District Collector Complex,
District Collector Office,
Coimbatore-641 018.

2.The Revenue Tahsildar,
Satyamangalam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 1st respondent to dispose off the petitioner's representation dated 13.12.2023 with regard to reclassification of the land in Survey No.789/2 within a time frame.

For Petitioner : Mr. K. Balasubramaniam,
for Mr. Ar. M. Arunachalam

For Respondents : Mrs. V. Yamunadevi,
Special Government Pleader

ORDER



W.P.No.1401 of 2024

WEB COPY

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the first respondent to dispose of the petitioner's representation dated 13.12.2023 with regard to re-classification of the land in Survey No.789/2 within a time frame.

2. It is the claim of the petitioner that the lands in S.No.789, Rajan Nagar Village, Satyamangalam Taluk, Gobi Registration District, measuring of 2.01.5 hectares or 4.98 acres, among other lands, at the outset, belonged to the petitioner's grandfather, namely, Mr. Sennappa Gounder, who acquired the title under a registered Sale Deed dated 20.04.1970, vide Doc.No.741 of 1970. After his demise, the same devolved upon his two sons and a daughter and wife, and they were in joint possession and enjoyment of the said properties. Thereafter, they entered into partition deeds between themselves, and thereby, the lands in S.No.789 to the extent of 2.49 acres are divided into two, namely, item No.1 and item No.2. The item No.1 was allotted to the petitioner's father and the rest of the lands to the extent of 2.49 were allotted to the petitioner's paternal uncle, and who in turn sold some portion of the lands to the third parties, and only at the time of registration, they came to know



W.P.No.1401 of 2024

that the said lands in S.No.789 were classified as “Industrial site”.

Subsequently, upon verification, the petitioner came to know that the entire lands in S.No.789 were classified as “Industrial site” by the Revenue Authorities. Therefore, the petitioner intended to download the guideline valuation certificate to the subject lands in S.No.789 from the official website of the Department concerned, in which also it is stated that the subject lands were classified as “Industrial site”. Being shocked with the said classification mentioned as “Industrial site” by the respondents authorities, the petitioner made a representation dated 13.12.2023 and requested the respondents to re-classify their lands in S.No.789 as an agricultural lands. Since the petitioner's request was not considered over a month, left with no other alternative, the petitioner is constrained to file the present Writ Petition before this Court for the above said relief.

3. Mrs. V. Yamunadevi, learned Special Government Pleader who takes notice for the respondents, submitted that a direction may be issued to the respondents to consider the petitioner's representation dated 13.12.2023.

4. Heard the learned counsel for the petitioner and the learned



W.P.No.1401 of 2024

WEB COPY

Special Government pleader appearing for the respondents and perused the materials available on record.

5. Though this Court time and again is pressing the decision rendered by this Court, in ***D.Tulasi Vs. The District Revenue Officer, Dharmapuri and etc.***, in W.P.Nos.262 of 2018, batch, etc., dated 09.06.2023, and a Circular No.R1/2005632 /2022 dated 17.07.2023 issued by the Commissioner of Land Administration, to dispose of the application/revision/appeals/representation/petition, within the time, the respondents /Revenue authorities neither followed the directions of this Court, nor followed the Circular issued by the Commissioner of Land Administration.

6. Since the writ petition is filed only for issuance of a simple writ of mandamus to consider the petitioner's representation dated 13.12.2023, this Court, without expressing any opinion with regard to the merits of the case, directs the first respondent to issue notice to the petitioner and the interested parties/rival claimants/objectors if any, as the case may be and conduct an enquiry in a manner known to law and dispose



W.P.No.1401 of 2024

WEB COPY

of the petitioner's representation dated 13.12.2023 on merits and in accordance with law. The said exercise shall be completed, within the time as stipulated in the said circular, from the date of receipt of a copy of this order.

7. With the above directions, this Writ Petition is disposed of.

There shall be no order as to costs.

31.01.2024

Index : yes/no
Speaking order : yes/no
Neutral Case Citation : yes/no

klt

To:

1.The Special District Revenue Officer (Stamps),
District Collector Complex,
District Collector Office,
Coimbatore-641 018.

2.The Revenue Tahsildar,
Satyamangalam.

P. VELMURUGAN, J.



WEB COPY



W.P.No.1401 of 2024

klr

W.P.No.1401 of 2024

31.01.2024