



WEB COPY

W.P.No.16383 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.16383 of 2024

R.Balakrishnan

...

Petitioner

versus

1.The District Collector,
Salem Collectorate Office,
Salem, Salem District.

2.The District Revenue Officer,
Salem Collectorate Office,
Salem, Salem District.

3.The Revenue Divisional Officer,
Thiruchengode Road,
Sankagiri Taluk,
Salem District.

4.The Tahsildar,
Sankagiri Taluk Office,
Thiruchengode Road,
Sankagiri Taluk,
Salem District.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 27.06.2020 for restoring the



classification of land as "agricultural private land" and restore the petitioner's property Survey No.501/2 - 1.84 Acres in Patta No.548 situated at Thevur Village, Sankagiri Taluk, Salem District.

For Petitioner : Mr.T.Gandhi

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. This Writ Petition is filed to direct the respondents to consider the petitioner's representation dated 27.06.2020 for restoring the classification of land as "agricultural private land" and restore the petitioner's property viz. Survey No.501/2, measuring an extent of 1.84 Acres in Patta No.548 situated at Thevur Village, Sankagiri Taluk, Salem District.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondents and perused the materials available on record.



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4. It is the grievance of the writ petitioner that the property was originally purchased by his father in the year 1961. Under the UDR scheme, Survey No.501/2 has been wrongly classified as a pathway and thereafter, the said mistake has been set right by the Tahsildar in his proceedings in Na.Ka.No.12555/86/A3 dated 06.09.1986 and a patta has been issued to the petitioner. Thereafter, the partition took place within the family. The revenue authorities, while computerising the revenue records in the year 2020, once again showed Survey No.501/2 as a pathway. In this regard, the petitioner has given a representation dated 27.06.2020 to the second respondent. However, the mistakes have not been set right.

5. The learned Special Government Pleader for the respondents would submit that any reclassification has been done only by the Commissioner of Land Administration. Since having found the mistake, the fourth respondent will forward his recommendation for a change in classification to the Commissioner of Land Administration.

6. As the mistake was apparently done by the revenue authorities and now they have also recommended that any such recommendation be



received by the Commissioner of Land Administration, the same shall be considered and orders will be passed within a period of three months.

7. In such view of the matter, the fourth respondent is directed to forward his recommendation for reclassification to the Commissioner of Land Administration, within a period of ten days from the date of receipt of a copy of this order. On receipt of such recommendation, the Commissioner of Land Administration shall pass appropriate orders, on its own merits and in accordance with law, within a period of three months thereafter.

8. With the above direction, this Writ Petition is disposed of. No costs.

26.06.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To

WEB COPY

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- 5.The Commissioner of Land Administration,
Thiruchengode Road,
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N.SATHISH KUMAR, J.

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