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W.P. No.18121 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.18121 of 2024

J.Usha

... Petitioner

Vs

- 1.The Principal Secretary to Government
Revenue and Disaster Management Department
Secretariat, Chennai - 600 009
- 2.Commissioner of Revenue Administration &
Disaster Management
Ezhilagam, Chepauk, Chennai - 600 005
- 3.The District Collector
Salem
- 4.The Revenue Divisional Officer
Salem
- 5.The Tahsildar
Salem West, Salem
- 6.The Commissioner of Land Administration
Land Administration Department,
2nd Floor, Ezhilagam,
Chepauk, Chennai - 600 005
(6th respondent impleaded by order dated 26.7.2024
made in W.M.P. No.23157 of 2024)

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus to consider petitioner's representation dated 08.08.2023, consider the same and pass suitable orders as directed by the 1st respondent on O.Mu.Va.Mi 7(1)/408/2023 dated 13.09.2023 and O.Mu.E-1315/1819/2023/G1 dated 19.09.2023 of the 4th respondent within a time frame as may be stipulated by this Hon'ble Court.

For Petitioner : Mr.D.Shivakumaran
For Respondent : Mr.P.Sathish
Addl. Govt. Pleader for R1 to R6

ORDER

This writ petition has been filed for a direction to consider petitioner's representation dated 08.08.2023 and pass suitable orders as directed by the 1st respondent in O.Mu.Va.Mi 7(1)/408/2023 dated 13.09.2023 and O.Mu.E-1315/1819/2023/G1 dated 19.09.2023 of the 4th respondent within a time frame as may be stipulated by this Hon'ble Court.

2. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused entire materials available on record.



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3. It is the case of the petitioner that originally one Kailasam had purchased 67 cents of agricultural land in S.No.165/1 of Pallapatti Village, Salem Taluk & District. The said Kailasam appointed one M.S.Ratnavel as his Power agent to make a layout of house sites and 17 house sites were plotted out in 67 cents of land. One K.L.Indhumathi purchased Plot No.9 measuring an extent of 2405 sq.ft. The said Indumathi sold western half of Plot No.9 (20 x 60) to one S.Rajakumari, she in turn sold the same to one Arumugam. The said Arumugam settled the same in favour of his son A.Srinivasan. The petitioner has purchased the said property from Srinivasan. When the petitioner has approached the Tahsildar for patta, the Tahsildar has informed that petitioner's house site is classified as Government Poramboke. While things stood thus, due to some error or mistake, petitioner's house site which was originally covered under Patta No.23, somehow appears to have been erroneously classified as Government Poramboke and requested rectification in the revenue records. In this regard, the petitioner has sent a representation dated 08.08.2023. Hence seeks a direction in this writ petition.

4. Considering the limited relief sought for in this writ petition, the fourth respondent is directed to consider the representation of the petitioner dated



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08.08.2023 and pass suitable orders as directed by the 1st respondent in O.Mu.Va.Mi 7(1)/408/2023 dated 13.09.2023 and O.Mu.E-1315/1819/2023/G1 dated 19.09.2023 of the 4th respondent, on merits and in accordance with law, after giving notice to the neighbouring land owners and any other interested persons. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

26.07.2024

Index : Yes / No

Neutral Citation : Yes / No

Asr

To

1.The Principal Secretary to Government
Revenue and Disaster Management Department
Secretariat, Chennai - 600 009

2.Commissioner of Revenue Administration &
Disaster Management
Ezhilagam, Chepauk, Chennai - 600 005

3.The District Collector, Salem

4.The Revenue Divisional Officer, Salem



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5.The Tahsildar, Salem West, Salem

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6.The Government Pleader
High Court, Madras

N.SATHISH KUMAR, J.

Asr

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