



W.P(MD)No.841 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD)No.841 of 2024

Udhyasankar

... Petitioner

-Vs-

1.The Principal Secretary and
Commissioner of Land Administration,
Ezhilagam,
Chepauk,
Chennai – 05.

2.The District Revenue Officer,
Thoothukudi,
Thoothukudi District.

3.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

4.The Tahsildar,
Kovilpatti Taluk,
Kovilpatti,
Thoothukudi District.

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus to direct the third and fourth respondents to reclassify the 16 cents of land in Survey No.616/4B at



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Pandavarmangalam Village, Kovilpatti Taluk, Thoothukudi District from Sarkar Poramboke to patta land and further to issue patta in the name of the legal heirs of the previous owners that is Sundarakudumban.

For Petitioner : Mr.J.Maheshkumar
For Respondent : Mr.P.Thambidurai
Addl. Govt. Pleader

ORDER

This writ petition is filed seeking for issuance of a Writ of Mandamus to direct the third and fourth respondents to reclassify the 16 cents of land in Survey No.616/4B at Pandavarmangalam Village, Kovilpatti Taluk, Thoothukudi District from Sarkar Poramboke to patta land and further to issue patta in the name of the legal heirs of the previous owners viz., Sundarakudumban.

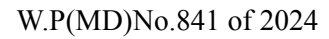
2. Mr.P.Thambidurai, learned Additional Government Pleader takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.



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3. The case of the petitioner is that the subject matter land originally belonged to the petitioner's forefather S.Sundarakudumban. After his demise, the petitioner's father Kovilpillai and his brothers Shanmugam and Ponmadan enjoyed it jointly. After the death of them, the legal heirs of them are enjoying the same jointly. Unfortunately, during UDR, the land was wrongly classified as Sarkar Poromboke and subsequently, in all the revenue records, the aforesaid land has been modified as Sarkar Poramboke. The petitioner did not know the wrong classification for many years. When they tried to obtain patta, the Village Administrative Officer informed them that the land has been classified as Sarkar Poramboke. Thereafter, the petitioner gave a petition to the second respondent on 29.11.2021 and the second respondent has forwarded the said petition to the first respondent for conducting an enquiry. However, the first respondent did not conduct any enquiry. Though the petitioner has approached the first respondent along with documents to start the enquiry, the first respondent did not conduct the proper enquiry. Hence, the petitioner gave another petition to the second respondent on 28.03.2023 and the same was also forwarded to the first respondent to conduct the proper enquiry to rectify the grievance of the



Hence, the petitioner has approached this Court for the above said relief.

5. In view of the above said submission, this Court, without expressing any opinion on the merits of the matter, directs the petitioner to send appropriate application along with documents to the third respondent. On receipt of such application, the third respondent is directed to conduct an enquiry based on the documents and other materials produced by the petitioner and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of 12 weeks thereafter.



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6. With the above direction, the Writ Petition stands disposed of. No costs.

12.01.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
skn

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V.BHAVANI SUBBAROYAN, J.

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