



W.A.(MD)No.459 of 2024

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.A.(MD)No.459 of 2024

and

C.M.P.(MD)No.3718 of 2024

Arunachalam

: Appellant

Vs.

1.The District Revenue Officer,
Karur District,
Karur.

2.The Assistant Director,
Land Survey and Records Department,
Karur,
Karur District.

3.The Tahsildar,
Kadavur Taluk,
Kadavur,
Karur District.

: Respondents



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PRAYER: Writ Appeal filed under Clause 15 of Letters Patent, praying to set aside the order passed by this Court in W.P.(MD) No.5349 of 2020 dated 19.12.2023.

For Appellant : Mr.G.Gomathi Sankar

For Respondents : Mr.S.P.Maharajan

Special Government Pleader

JUDGMENT

[Judgment of the Court was delivered by **D.KRISHNAKUMAR, J.**]

This Writ Appeal has been filed challenging the order passed by this Court in W.P.(MD)No.5349 of 2020 dated 19.12.2023.

2.According to the learned Counsel for the appellant, the appellant is in possession and enjoyment of the property in Survey No.543/1, 543/2, 543/3 and 543/4, which were purchased by him from one Sangu Pillai and the appellant is cultivating the said lands. He further submitted that the appellant is paying kist to the Government and he has been granted with a patta for the aforesaid land. While that being so, under the UDR scheme, the aforesaid land was classified as Government Tank Poramboke land and based on the aforesaid classification under the UDR Scheme, the said



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patta granted in favour of the appellant was cancelled. Therefore, the appellant made a representation to the first respondent to change the classification of the properties in question and the same was rejected. Challenging the same, the appellant filed a writ petition before this Court.

3.The Writ Court called for the original records and upon going through the original records found that the aforesaid property is shown as a 'Manai' and also found that the vendor of the writ petitioner has filed a Writ Petition in W.P.No.3041 of 1984, challenging the proceedings of the Commissioner of Land Administration vide order dated 01.12.1983, confirming the order passed by the Assistant Settlement Officer, Thanjavur dated 24.02.1975, cancelling the patta with respect to the lands in Survey Nos.543/1, 543/2, 543/3 at Pannapatti Village, Kulithalai Taluk, Trichy District. The said Writ Petition came to be dismissed vide order dated 06.02.1992.

4.While that being so, the present impugned order has been filed challenging the order passed by the District Revenue Officer, reclassifying the property in question. Since the earlier proceedings challenged before this Court was held as against the vendor of the appellant and the appellant being a subsequent



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purchaser, cannot have any legal right to challenge the aforesaid proceedings of cancellation of patta once again. Hence, the revenue authorities have rightly rejected the application of the appellant and no other reasons have been established by the appellant to interfere with the order of the learned Single Judge.

5. Accordingly, this Writ Appeal stands dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

[D.K.K.,J.] & [R.V.,J.]
20.03.2024

Neutral Citation : Yes/No

Index : Yes/No

Internet : Yes/No

MR



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and

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MR

JUDGMENT MADE IN
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