



W.P(MD)No.16576 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.16576 of 2024

and

W.M.P.(MD)No.14343 of 2024

K.Sekar

... Petitioner

Vs.

1.The Commissioner of Land Administration,
Chepauk, Chennai - 600 005.

2.The District Collector,
Trichy District, Trichy.

3.The District Revenue Officer,
Trichy District, Trichy.

4.The Revenue Divisional Officer,
Trichy, Trichy District.

5.The Tahsildar,
Thiruverumbur,
Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to implement the order passed by the 1st respondent in his proceedings Rc.No.G1/57088/93 and 6851/94 dated 29.10.2001 and consequently issue patta to the petitioner in the land in S.No.41/6, admeasuring 3583 sq.ft, Kumbakkudy Village, M.G.R. Nagar, Trichy District, in terms of the



W.P(MD)No.16576 of 2024

proceedings of the 3rd respondent in Na.Ka.A2/52284/2001 dated 05.01.2018 within a time frame fixed by this Court.

For Petitioner : Mr.D.Kirubakaran

For Respondents : Mr.D.Sasikumar,
Addl. Government Pleader.

ORDER

Heard both sides.

2.It is not in dispute that the case of the petitioner is similar to that of the petitioner in W.P.(MD)No.7129 of 2022 (A.Xavier Vs. Commissioner of Land Administration and Others). The said writ petition was disposed of by me on 05.08.2022 in the following terms:-

“7.The District Revenue Officer, Tiruchirappalli is directed to issue communication to the writ petitioner quantifying the amount payable by the writ petitioner as fixed in the year 2009. Since the said amount ought to have been remitted by the writ petitioner in the year 2009 itself, he is obliged to pay interest. Considering the lapse of time and taking note of overall facts and circumstances particularly the gross delay exhibited by the officials, the interest payable by the writ petitioner is fixed at 4% per annum. After the writ petitioner pays the amount as fixed by the first respondent together with interest with effect from



W.P(MD)No.16576 of 2024

01.09.2009, the fifth respondent shall issue patta in respect of the petition mentioned property in favour of the writ petitioner. The third respondent shall issue the communication as mentioned above within a period of four weeks from the date of receipt of a copy of this order. After payment of amount as quantified above, the fifth respondent shall issue patta in favour of the writ petitioner within a period of twelve weeks thereafter.”

Questioning the same, the department filed W.A.(MD)No.310 of 2023. The writ appeal was dismissed on 27.03.2023 in the following terms:-

“13. Since the assignee is not on appeal, we do not propose to alter the order of the writ Court. Though we find that the order of the Writ Court works certain injustice to the proposed assignees and ignores the misdeeds of the Revenue Department of Trichirappalli District. The writ appeal is dismissed. The District Revenue Officer, Trichirappalli is directed to serve the demand on the respondent indicating the amount to be paid as per the order of the writ Court, for the property in his occupation, giving him a months' time to pay. The competent authority will issue an order of assignment within fifteen days from the date of such payment made by the assignees. If there is any breach of time limit, it will be viewed seriously, unlike in the past. This order will applicable only to those persons who are cited as beneficiaries before the Commissioner of Land Administration.”

The department also SLP and it was also dismissed.



W.P(MD)No.16576 of 2024

WEB COPY

3.The present writ petition is also disposed of on the same lines. No costs. Consequently, connected miscellaneous petition is closed.

23.07.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
ias

To:-

- 1.The Commissioner of Land Administration,
Chepauk, Chennai - 600 005.
- 2.The District Collector,
Trichy District, Trichy.
- 3.The District Revenue Officer,
Trichy District, Trichy.
- 4.The Revenue Divisional Officer,
Trichy, Trichy District.
- 5.The Tahsildar,
Thiruverumbur,
Trichy District.



WEB COPY



W.P(MD)No.16576 of 2024



WEB COPY



W.P(MD)No.16576 of 2024

G.R.SWAMINATHAN, J.

ias

W.P(MD)No.16576 of 2024

23.07.2024