



W.P.(MD) No.24118 of 2018

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.04.2024

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THE HON'BLE MR.JUSTICE C.SARAVANAN

W.P.(MD) No.24118 of 2018

S.Kumarasamy

... Petitioner

Vs.

1.The District Collector,
Pudukottai District.

2.The Revenue Divisional Officer,
Pudukottai District.

3.The Thasildhar,
Thirumayam Taluk,
Pudukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the second respondent to consider and pass appropriate orders on basis of the petitioner's representation dated 21.12.2017, relating with the restoration of classification for the land, measuring 3.44 Hectares in S.No.408/4 in Panakudi Village, Thirumayam Taluk, Pudukottai District, to its original position which was erroneously reclassified as “Anadeenam” by the authorities without considering the Settlement Register and consequently issuing patta in his name in the light of SLR and also on basis of his long



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possession and enjoyment of the property as the earliest possible as the date may be fixed by this Court.

For Petitioner : Mr.K.Vijayanand

For Respondents : Mr.S.P.Maharajan
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus directing the second respondent,

- i. to consider and pass appropriate orders on the petitioner's representation dated 21.12.2017 relating to the restoration of classification for the land in S.No. 408/4 in Panakudi Village, Thirumayam Taluk, Pudukottai District measuring an extent of 3.44 Hectares, to its original position which was erroneously reclassified as “Anadeenam” by the Authorities without considering the Settlement Register;
- ii. to consequently issue patta in the petitioner's name in the light of SLR and also on basis of his long possession and enjoyment of the property.

2. This Writ Petition is opposed by the learned Special Government Pleader for the respondents stating that the land in question has been



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classified as Anadeenam as early as 1972 in SLR. The learned Special Government Pleader for the respondents would draw attention to Page Nos.1 & 2 of the typed set of papers to state that the land in question was in the name of the petitioner's grandfather namely, Ramasamy Devar.

3. Since there are disputed questions of fact, the prayer for a direction to the second respondent to re-classify the property which was in the name of the petitioner's grandfather cannot be entertained. At the same time, the petitioner's representation can be considered and disposed of by the second respondent on merits and in accordance with law. Before passing order, a copy of the extract of SLR of the year 1972 may be furnished to the petitioner, so that, the petitioner may have suitable submission before the second respondent.

4. This Writ Petition stands disposed of. No costs.

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Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order / Non-Speaking Order

JEN



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Copy To:

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C.SARAVANAN, J.

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