



W.P.(MD) No.23221 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

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R.Ramasamy

.. Petitioner

Vs.

1.The Director,
Land Reforms, Chennai.

2.The District Collector,
Tuticorin District.

3.The District Registrar,
Tirunelveli District.

4.The Assistant Commissioner,
Land Reforms,
Tirunelveli-627 002.

5.The Special Deputy Collector,
Revenue Court,
Tirunelveli.

6.Paramasiva Pandian

7.Vijaykumar

8.Ravikumar Inani

.. Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the second respondent to conduct an enquiry on the petitioner's complaint dated 16.01.2024 pertaining to fraudulent sale transaction of Government Lands situated in Sy.No.166/1, Kothali Village, Ottapidaram Taluk, Tuticorin District which extent about 2 Acres 91 Cents which is assigned to the petitioner by the Governor of Tamilnadu acquired under Land Ceiling Act and reassign the same in the petitioner's name.

For Petitioner : Mr.D.Saravanan

For RR1 to 5 : Mr.B.Saravanan
Additional Government Pleader

ORDER

It is the case of the petitioner that he had submitted a complaint on 16.01.2024 regarding fraudulent sale transaction of the lands measuring 2 Acres 91 Cents in S.No.166/1, Kothali Village, Ottapidaram Taluk, Tuticorin District, which was assigned to him under the Land Ceiling Act and to reassign the same back to the petitioner. He would submit that the aforesaid lands had been acquired under proceedings dated 03.09.1998 from various individuals belonging to the said village under Section 18(1) of the Tamil Nadu Land Reforms (Fixation of Ceiling on Land)



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Act, 1961 and declared as “surplus land” and thereafter, the surplus lands measuring an extent of 223 ordinary acres and 88 cents of land were acquired *vide* proceedings dated 03.09.1998. The said lands were classified as “surplus lands” and the Government decided to assign the same for cultivation to Ex-servicemen. The Government had published the said intent in various newspapers to distribute the lands essentially for Ex-servicemen and the petitioner has expressed his willingness. He had submitted an application on 24.05.2002 to the fourth respondent and the fourth respondent *vide* his proceedings dated 12.06.2022 had assigned the lands in question to the petitioner. The petitioner had been in peaceful possession of these lands since the date of the assignment and has paid a sum of Rs.1,181/- towards value of the lands on 24.05.2002. Necessary entries were made into the revenue records, which are patta, chitta and adangal and the petitioner has been paying tax in his name.

2. While so, from the year 2022, respondents 6 to 8 have been obstructing the petitioner’s entry into his property and they have created some false documents relating to the lands acquired under the Land



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Reforms and Ceiling Act, which have already been declared as “surplus lands” from the holdings of the various individuals. The petitioner would submit that the land has been allotted to him only on account of he being Ex-serviceman and he has been in continuous possession of the same for over 20 years without any hindrance. The petitioner would submit that respondents 6 to 8 had indulged in manipulating documents and misrepresentation relating to the Government lands which had been assigned as early as on 12.06.2002. On coming to know about the same, the petitioner had made a complaint to the District Registrar, Superintendent of Police and the Special Deputy Collector, Revenue Court, Tirunelveli etc. The Special Deputy Collector, Revenue Court, directed the District Registrar, Tirunelveli to take appropriate action against the fraudulent registration of Government lands by her order dated 24.01.2024. However, respondents 1, 2 and 4 had not taken any action to date. Hence, the writ petition.

3. Taking into account the fact that the Special Deputy Collector had herself *vide* proceedings dated 24.01.2024 directed actions to be



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taken against fraudulent registration of the Government lands and whose order has not been followed up and also taking note of the fact that the complaint is of serious in nature, a mandamus is issued to the second respondent to consider the petitioner's complaint dated 16.01.2024 and pass orders on the same within a period of six weeks from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is allowed. No costs.

30.09.2024

NCC : Yes/No

Index : Yes/No

Internet : Yes

abr

To

1.The Director,
Land Reforms, Chennai.

2.The District Collector,
Tuticorin District.



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- 3.The District Registrar,
Tirunelveli District.
- 4.The Assistant Commissioner,
Land Reforms,
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- 5.The Special Deputy Collector,
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