



WP(MD)No.24184 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 18.10.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**WP(MD)No.24184 of 2024
and
WMP(MD)No.20584 of 2024**

Rengasamy

... Petitioner

Vs

**1.The District Collector,
District Collector Office,
Trichy District.**

**2.The District Revenue Officer,
District Revenue Office,
Trichy District.**

**3.The Revenue Divisional Officer,
Revenue Divisional Office,
Srirangam, Trichy District.**

...Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India for issuance of a writ of certiorarified mandamus to call for the entire records pertaining to the impugned order passed by the 2nd respondent vide his proceedings in Na.Ka.Aa5/21438/2023 dated 21.04.2023 and quash the same as illegal and further direct the 1st respondent to correct the incorrect entry of government poramboke to Ryot Manai in Revenue Records and issue patta to the petitioner based on the proceedings issued by the 3rd respondent in Mo.Mo.A2/4898/2021, dated 18.08.2022.



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For Petitioner : Mr.R.L.Dhilipan Pandian.

For Respondents : Mr.B.Saravanan,
Additional Government Pleader

ORDER

The order passed by the District Revenue Officer, Trichy is challenged in this writ petition. The main contention of the petitioner is that the DRO has rejected the order of the Revenue Divisional Officer by referring to the circular No.K3/14710/2015, dated 07.08.2015 issued by the Commissioner of Land Administration. This circular according to the learned Counsel for the petitioner has been struck down by the Division Bench of this Court in WP(MD)No.9466 of 2021, etc., batch by order dated 07.08.2023 as unconstitutional.

2.Since the said circular has already been held as unconstitutional, the learned Counsel for the petitioner prayed to remand the matter to the District Revenue Officer for fresh consideration.

3.The learned Additional Government Pleader appearing for the respondents admitted that the said circular referred to by the DRO in the



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impugned order has been struck down by the Division Bench of this Court and a new circular has been issued by the Commissioner of Land Administration, Chennai in RI/7699421/2024, dated 27.08.2024. New guidelines have also been framed in the said circular.

4. This Court has considered the rival submissions made.

5. Since the impugned order has been passed based on a circular, which has subsequently been struck down by the Division Bench of this Court by order dated 07.08.2023 that it is unconstitutional and a new circular has also been issued, this impugned order is set aside and the District Revenue Officer is directed to consider the case of the petitioner in the light of the circular issued by the Commissioner of Land Administration, Chennai in RI/7699421/2024, dated 27.08.2024.

6. The writ petition is allowed in the above terms. No costs. Consequently connected miscellaneous petition is closed.

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Internet : Yes / No
Index : Yes / No
DSK



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