



W.P.(MD) No.25732 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.25732 of 2024

A.Muruganandham

.. Petitioner

Vs.

1.The Commissioner of Land Reforms,
Commissionerate of Land Reforms,
Ezhilagam, Chepauk, Chennai-5.

2.The District Revenue Officer,
Dindigul Collectorate,
Dindigul District.

3.The Revenue Divisional Officer,
Sub Collector Road,
Dindigul.

4.The Tahsildar,
Dindigul East Taluk,
Natham Road, Dindigul.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 1st respondent to pass orders on recommendations of the 2nd respondent in his proceedings in Na.Ka.No.7408/2017/D7, dated 01.08.2022 and proceedings in



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Na.Ka.No.7408/2017/D7, dated 23.04.2024 within a time frame as may be stipulated by this Court.

For Petitioner : Mr.D.Kirubakaran

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for the following relief:

“...directing the 1st respondent to pass orders on recommendations of the 2nd respondent in his proceedings in Na.Ka.No.7408/2017/D7, dated 01.08.2022 and proceedings in Na.Ka.No. 7408/2017/D7, dated 23.04.2024 within a time frame as may be stipulated by this Hon'ble Court ...”

2. It is the case of the petitioner that the lands comprised in S.Nos. 723/1, 723/2, 724/2 and 724/3 measuring an extent of 2.97 acres belonged to his grandfather one Sivasubramaniam Pillai. On the demise of his grandfather, the properties devolved on his father Alagusundaram Pillai and his siblings Gummanandha Pillai and Balaiyyanatham Pillai.



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The said Gummanandha Pillai gifted the property unilaterally to the Boomi Thana Iyakkam and thereafter, the petitioner's father and his brother Balaiyyanatham and the legal heirs of Gummanandha Pillai filed a suit in O.S.No.469 of 1983 on the file of the Additional District Munsif Court, Dindigul for declaration and permanent injunction against the Boomi Thana Board represented by its Special Officer and the Chairman, Tamil Nadu State Boomi Thana Board. During the pendency of the suit, Balaiyyanatham Pillai passed away and his wife Pichiammal impleaded herself. The suit was decreed *ex-parte* on 10.10.1998 granting declaration and injunction against which there is no appeal. Consequently, the said decree had attained finality. Thereafter, on the demise of his father, the petitioner and his brother Sivasubramanian and Kathiresan and the other family members have been in enjoyment of the property and a patta in Patta No.1159 was granted in their favour.

3. The petitioner would submit that he had filed a writ petition in W.P.(MD) No.15086 of 2020 against respondents 2 to 4 to effect changes in the revenue records from value 'zero' to the actual value of the



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aforementioned properties by considering his representation dated 13.02.2020. This Court had also disposed of the writ petition on 02.11.2020 directing the respondents to consider the representation and pass orders within a period of eight weeks. Since that did not happen, the petitioner has moved contempt proceedings in Contempt Petition No. 1542 of 2022. The fourth respondent conducted an enquiry and rejected the petitioner's claim directing him to approach the first respondent. Recording the same, the contempt petition was closed. Meanwhile, the second respondent had conducted an enquiry and had forwarded a communication dated 01.08.2022 by which the second respondent given a recommendation recommending the first respondent to remove the survey numbers with reference to the aforesaid lands from the list of the properties of the Boomi Thana Board. This was once again reiterated by the second respondent in his communication dated 23.04.2024. Despite this recommendation, the first respondent has not proceeded to pass orders on the recommendation of the second respondent. Therefore, the petitioner is before this Court.



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4. Heard the learned counsel on either side.

5. Considering the aforesaid narration and the fact that there has been a positive recommendation made to the first respondent not once, but twice, the first respondent is directed to dispose of the representation made by the petitioner within a period of eight weeks from the date of receipt of a copy of this order keeping in mind the recommendation of the second respondent in Na.Ka.No.7408/2017/D7 dated 01.08.2022 and Na.Ka.No.7408/2017/D7, dated 23.04.2024.

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

25.10.2024

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

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P.T.ASHA, J.

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