



W.P.(MD).No.11 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.(MD)No.11 of 2024

K.S.Krishnamoorthy

... Petitioner

vs.

1.The Principal Secretary and Commissioner
of Land Administration,
Ezhilagam, Chepauk,
Chennai 600 005.

2.The District Revenue Officer,
Tirunelveli District,
Tirunelveli.

3.The Revenue Divisional Officer,
Cheranmahadevi,
Tirunelveli District.

4.The Tahsildar,
Cheranmahadevi Taluk,
Cheranmahadevi,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the first respondent to pass orders in order to make entry the petitioner's name in revenue



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records and consequently directing the respondents 2 to 4 to issue patta in respect of petitioner's Natham Land to an extent of 0.05.20 Hectare, situated in New Survey No.204/11, Old Survey No.156 and 172/1, Kooniyur Village, Cheranmahadevi Taluk, Tirunelveli District, by considering the petitioner's petition dated 14.06.2022.

For Petitioner : Mr.J.Parekh Kumar

For Respondents : Mr.D.Gandhi Rajan

Special Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the first respondent to pass orders in order to make entry the petitioner's name in revenue records and consequently directing the respondents 2 to 4 to issue patta in respect of petitioner's Natham Land to an extent of 0.05.20 Hectare, situated in New Survey No.204/11, Old Survey No.156 and 172/1, Kooniyur Village, Cheranmahadevi Taluk, Tirunelveli District, by considering the petitioner's petition dated 14.06.2022.



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2. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, he has purchased a Natham vacant land to an extent of 0.05.20 hectares in Old S.No.156 and 172/1, Kooniyur Village, Tirunelveli District, on 27.06.2002. In resurvey, it was assigned as S.No.204/11. While so, in the revenue records, it was wrongly mentioned as Government waste land. Therefore, the petitioner has filed a petition before the first respondent on 06.06.2016. The first respondent sent the same to the second respondent, who in turn forwarded the same to the third respondent for enquiry. But the third respondent without making any enquiry keeps the same pending. Hence, the petitioner has filed a petition in W.P.(MD).No.11495 of 2019 before this Court and the same was allowed on 17.06.2019, directing the third respondent to complete the enquiry and send a report to the second respondent within a period of four weeks. Thereafter, the second respondent sent a communication to the petitioner stating that the



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proposal has been sent to the first respondent on 03.11.2020 and after passing order by the first respondent, further action will be taken. Since no order has been passed, the petitioner has made a representation to the first respondent on 14.06.2022 and the same is still pending. Hence, the present writ petition has been filed.

4. The learned Special Government Pleader appearing for the respondents would submit that already the said land was classified as Government poramboke, but the petitioner has purchased the property only in the year 2002. Hence, the petitioner cannot seek this prayer.

5. On going through the earlier order passed by this Court, it appears that this Court already directed the third respondent to complete the enquiry and send a report to the second respondent within a period of four weeks and after receiving such report, the second respondent has to forward the same within a period of two weeks to the first respondent and thereafter the first respondent shall pass orders on merits within a period of four weeks. Thereafter, the said enquiry was conducted by the third respondent and the report was sent to the second respondent, who in turn forwarded the same to the first respondent and the first respondent shall pass orders on merits



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within a period of four weeks. But so far no such order has been passed by the first respondent regarding the issue. Hence, the first respondent is hereby directed to complete the enquiry and pass appropriate orders, within a period of sixteen weeks from the date of receipt of a copy of this order.

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

03.01.2024

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

akv

To

1. The Principal Secretary and Commissioner
of Land Administration,
Ezhilagam, Chepauk,
Chennai 600 005.

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V.BHAVANI SUBBAROYAN,J.

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