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W.P.No.2702 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

**THE HONOURABLE Ms. JUSTICE P.T. ASHA**

**W.P.No.2702 of 2025**

Pachamuthu

... Petitioner

**Vs.**

1.The District Collector,  
Kallakurichi.

2. The Revenue Divisional Officer,  
Kallakurichi.

3. The Tahsildar,  
Chinnasalem.

4. Thangavel

...Respondents

**Prayer:-** Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus, directing the respondents 1 to 3 to consider the petitioner's representation dated 06.10.2023 and consequently direct the respondents 1 to 3 to cancel their proceedings, rectify the mistake and relieve the Tharisu land about 15 cents which is in the petitioner's occupation and kept the land S.No.752/4 admeasuring 0.88 cents possessed by the 4th respondent as prior to the UDR scheme.

For Petitioner : Mr.S.N.Subramani

For Respondents : Mr.A.Selvendran,  
Special Government Pleader

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### **ORDER**

The petitioner seeks a mandamus directing respondents 1 to 3 to consider his representation dated 06.10.2023 and, consequently, to direct respondents 1 to 3 to cancel the proceedings, rectify the mistake, and grant relief regarding the land measuring approximately 15 cents.

2. The petitioner has filed the following relief:

The petitioner claims ownership of agricultural lands in S.No.752/1, Chinnasalem North Village, which have been classified as "Tharisu" land. Within this "Tharisu" land, the petitioner has possessed and enjoyed approximately 0.15 cents, while the fourth respondent has occupied a portion of the same land along with his patta land in S.No.752/4 in Chinnasalem North Village. The land in S.No.752/4 measures 5.24 acres. However, in Chinnasalem North Village, this land has been classified as "Tharisu" land.

3. Out of this total extent, 0.88 cents, including the petitioner's possession of approximately 15 cents, was subdivided as S.No.752/4A, 752/4B, and 752/4C. However, by proceedings in D.K.T 981/1379, the total extent of land under his enjoyment was recorded as 1.98 acres instead of 0.88 cents, thereby including the petitioner's 15 cents. Despite the petitioner's repeated applications for patta for the land in his possession, no action has been taken. Now, the land in his possession has been added to



the fourth respondent's extent.

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4. Therefore, the petitioner submitted a representation on 06.10.2023, seeking rectification of this mistake. However, no orders have been passed to date. The petitioner apprehends that the respondents have deliberately failed to consider his representation, as the fourth respondent is employed in the third respondent's office.

5. Earlier, the petitioner had filed W.P.No.1280 of 2024, seeking a direction to consider his representation. By an order dated 22.01.2024, this Court directed respondents 1 to 3 to consider the representation and pass appropriate orders after affording due opportunity to both the petitioner and the fourth respondent, within the time stipulated in Circular No.R1/2005632/2022, dated 17.07.2023.

6. It appears that the representation has still not been considered. The petitioner has now once again approached this Court with the same request. While this writ petition may appear to re-agitate the same issue, it is evident that the statutory authority has failed to comply with the Court's previous order in W.P.No.1280 of 2024.

7. Accordingly, this Writ Petition is allowed, and a mandamus is



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issued to respondents 1 to 3, directing them to pass appropriate orders through the competent authority within a period of eight weeks from the date of receipt of a copy of this order. The respondents shall comply with this Court's direction, as they are already in conduct of the earlier order passed in W.P.No.1280 of 2024. The orders shall be passed after affording an opportunity of hearing to both the petitioner and the fourth respondent.

No costs.

**30.01.2025**

nvi

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

- 1.The District Collector,  
Kallakurichi.
2. The Revenue Divisional Officer,  
Kallakurichi.
3. The Tahsildar,  
Chinnasalem.

**P.T. ASHA. J.,**



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