



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 19.02.2025

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.5014 of 2025

Lisibackiyam

... Petitioner

Vs.

1.The District Collector,
office of the Collectorate,
Erode,
Erode District.

2.The Revenue Divisional Officer,
Office of the RDO,
Erode, Erode District.

3.The Tahsildar,
Office of the Tahsildar,
Perundurai Taluk,
Erode District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to directing the 1st respondent to consider the Petitioner's representation dated 21.11.2024 and to reassign the land survey No.358/1 to an extend of 3.48 acres situates in Karumandichelli Palayam revenue Village, Perundurai Taluk, Erode District to the petitioner as the legal heir of the



original assignee and dispose the same within a time frame that may be fixed by this Court.

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For Petitioner : Mr.S.Arokiamaniraj

For Respondents : Mr.A.Selvendran
Special Government Pleader
for R1 to R3

ORDER

This writ petition has been filed for issue of writ of mandamus directing the 1st respondent to deal with the representation made by the petitioner on 21.11.2024 and to reassign the subject property in favour of the petitioner.

2.Heard Mr.S.Arokiamaniraj, learned counsel appearing on behalf of the petitioner and Mr.A.Selvendran, learned Special Government Pleader appearing on behalf of the respondents 1 to 3.

3.The claim made by the petitioner seeking for reassignment was already considered by the 1st respondent and it was rejected through proceedings dated 22.08.2024. The same was put to challenge in W.P.No.29578 of 2024 and this writ



petition was dismissed as withdrawn by an order dated 04.11.2024 in the following

terms:

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Today when the matter is taken up for hearing, the learned counsel appearing for the petitioner seeks permission of this Court to withdraw the writ petition with liberty to file a fresh petition. He has also made an endorsement to that effect. Accordingly, this Writ Petition is dismissed as withdrawn. No Costs.

4.Subsequent to the above order, the petitioner has once again made a representation to the 1st respondent dated 21.11.2024 and has approached this Court for a direction to the 1st respondent to deal with the representation.

5.In the considered view of this Court, without challenging the proceedings dated 22.08.2024, the petitioner does not have any right to maintain the present writ petition. The finding of the 1st respondent in the proceedings dated 22.08.2024 makes it abundantly clear that the assignment has been cancelled due to violation of conditions and there is no question of reassigning the lands to the legal heirs. If this finding is not questioned, there is no scope for submitting a fresh representation and seeking for a direction.



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6. When this Court expressed its mind, the learned counsel for the petitioner submitted that he will file an appropriate petition for restoring the earlier writ petition filed in W.P.No.29578 of 2024.

7. Recording the above submission of the learned counsel for the petitioner, this writ petition stands closed. No Costs.

19.02.2025

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

1. The District Collector,
office of the Collectorate,
Erode,
Erode District.
2. The Revenue Divisional Officer,
Office of the RDO,
Erode, Erode District.



3. The Tahsildar,
Office of the Tahsildar,
Perundurai Taluk,
Erode District.



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N. ANAND VENKATESH, J.

SSI

W.P.No.5014 of 2025

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