



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2025

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.7030 of 2025

Kiruthika Devi

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Tiruppur.

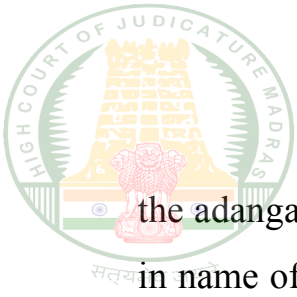
2.The District Revenue Officer,
Collectorate,
Tiruppur.

3.The Revenue Divisional Officer,
Udumalpt Revenue Division,
Tiruppur District.

4.The Tahsildar,
Udumalpt Taluk,
Tiruppur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, direct the respondents to restore the nature of the land in Survey No.28/A1A2 and 28/A1B to an extent of 2 acres situated at Devanur Pudhur Village, Udumalpet Taluk, Tiruppur District from poromboke to surplus in



the adangal register as found in the A register and consequently effect further change in name of the parties based on the result of the appeal against the order of the Land Acquisition Tribunal at Tanjore made in L.T.C.M.A. No.3/95 dated 30.12.1996.

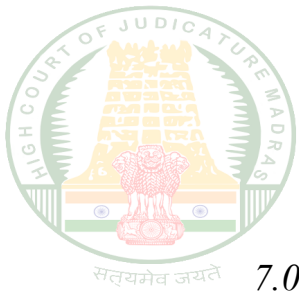
For Petitioner : Mr.M.Saravanakumar
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This writ petition has been filed for issue of writ of mandamus directing the respondents to restore the subject property from its status as poramboke to surplus land in the adangal register as found in the A Register and consequently effect the change in name of the parties based on the result in the appeal filed against the order of the Land Acquisition Tribunal made in LTCMA No.3 of 95 dated 30.12.1996.

2.Heard Mr.M.Saravanakumar, learned counsel appearing on behalf of the petitioner and Mr.A.Selvendran, learned Special Government Pleader appearing on behalf of respondents 1 to 4.

3.It is seen from records that the similarly placed persons had approached this Court and filed W.P.No.23731 of 2017. This writ petition was disposed of by an order dated 25.01.2021 and the relevant portions are extracted hereunder:



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2. *The case of the petitioner is that she purchased an extent of 7.05 Acres of agricultural land in SF No.28/A1A situated at Devanur Pudhur Village, Udumalpet Taluk, Tiruppur District, by virtue of sale deed dated 14.02.1991. The property was purchased from one Nachimuthu Gounder and his legal heirs. It is admitted by the petitioner that the land was declared as surplus land. However, it is stated that the notification issued by the Government declaring the land as surplus in the hands of Nachimuthu Gounder was the subject matter of an appeal before the Land Appellate Tribunal, Tanjore in L.T.C.M.A. No.3/95. Since the order declaring the land as surplus in the hands of Nachimuthu Gounder was set aside by the Land Appellate Tribunal, it is submitted by the learned counsel for the petitioner that the classification of land should be restored as it was prior to the land ceiling proceedings. Though a representation was submitted by the petitioner for restoration of the classification of the land, the same was turned down by the respondents by stating that the authorities under the Land Reforms Act preferred a Civil Revision Petition which is pending before this Court in CRP No.1902/2003. Since the revision petition was filed with a delay, the learned counsel senior counsel for the petitioner submitted that the restoration of classification cannot be delayed by referring to the pendency of the Civil Revision Petition before this Court.*

3. *This Court is of the view that the submissions made by the learned senior counsel appearing for the petitioner is reasonable and*



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the classification cannot remain as surplus or Government land even after the order passed by the Land Appellate Tribunal in L.T.C.M.A. No.3/95. Taking note of the fact that the Civil Revision Petition is not yet admitted, this Court is inclined to grant relief to the petitioner. Accordingly, the respondents are directed to restore the classification of the land measuring an extent of 7.05 acres situated at Devanur Pudhur Village, Udumalpet Taluk, Tiruppur District, as patta land in the adangal and A register in tune with the order of Land Appellate Tribunal in L.T.C.M.A.No.3/95 dated 30.12.1996. However, it is open to the respondents to reclassify the land if necessary in case they succeed in the Civil Revision Petition which is pending before this Court.

4.Pursuant to the above order, since the restoration of the classification was not done, a contempt petition came to be filed in Cont.P.No.874 of 2021 and this contempt petition was disposed of by an order dated 23.08.2021, after recording the fact that the Revenue Divisional Officer has passed an order in favour of the petitioner therein in line with the directions issued by this Court in the writ petition.

5.The above order will enure in favour of the petitioner also, since the petitioner is also similarly placed. Hence, there shall be a direction to the 3rd respondent to restore the classification of the land measuring an extent of two acres



situated at Devanur Pudhur Village, Udumalpet Taluk, Tiruppur District, as patta land in the adangal and A Register in tune with the order of the Land Appellate Tribunal in LTCMA No.3/95 dated 30.12.1996. This can be made subject to the result of the Civil Revision Petition that is pending and in case of succeeding in the Civil Revision Petition, the respondent can reclassify the land. This process shall be completed by the 3rd respondent, within a period of six weeks from the date of receipt of copy of this order.

6.This writ petition is disposed of with the above directions. No Costs.

03.03.2025

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

To

1.The District Collector,
Collectorate,
Tiruppur.



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N. ANAND VENKATESH, J.

SSR

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