



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.01.2025**

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P(MD)NO.2195 OF 2025

R.Saminathan

: Petitioner

.VS.

1.The District Collector,
Collector Office,
Tiruchirappalli District.

2.The District Revenue Officer,
District Revenue Office,
Tiruchirappalli District.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruchirappalli District.

4.The Tahsildar,
Tahsildar Office,
Tiruverumbur,
Tiruchirappalli District.

:Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second respondent to consider the representation, dated 12.09.2023 to rectify the classification regarding the schedule property as “Mullkadu Natham Vacant Land” and to issue patta in Petitioner’s name with regard to the schedule property.



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For Petitioner :Mr.a.Punithan

For Respondents :Mr.A.Kannan
1 to 4 Addl.Govt.Pleader

ORDER

This Writ Petition is filed for a Writ of Mandamus directing the second respondent to consider the representation, dated 12.09.2023 to rectify the classification regarding the schedule property as “Mullkadu Natham Vacant Land” and to issue patta in Petitioner’s name with regard to the schedule property.

2.Mr.A.Kannan, learned Additional Government Pleader takes notice for the respondents 1 to 4. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The Petitioner’s father purchased the subject property from C.S.Venkatrama Iyer vide sale deed, dated 23.5.1983. Eversince the date of purchase, the Petitioner’s father was in peaceful possession and enjoyment of the schedule property. In 1990, the fourth respondent issued a notice to the Petitioner’s father for issuance of patta for the schedule property under the scheme Natham Nilavari Thittam. Unfortunately the Petitioner’s father, due to ill health, died on 26.7.2020. After his demise, the



Petitioner was in peaceful possession and enjoyment of the schedule property. After the demise of the Petitioner's father, the Petitioner applied for patta for the schedule property before the fourth respondent. To his shock and dismay, the fourth respondent erroneously classified the schedule property as "Mullkadu Natham Vacant Land" and the Petitioner, therefore submitted a representation to the fourth respondent on 12.09.2023, to rectify the erroneous classification of the schedule property as Mullkadu Natham Vacant Land. The Petitioner thereafter approached the second and third respondents in person, who in turn informed the third respondent to consider the Petitioner's representation to rectify the classification. Even thereafter, the fourth respondent did not take any action. Therefore, left with no alternative remedy, the Petitioner approached this Court by filing the above Writ Petition for the aforesaid relief.

4. The learned Additional Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that as per Clause 9 (A)(ii) of the Circular of Commissioner of Land Administration, dated 27.08.2024, Particularly, Clause 9(A)(ii), the District Revenue Officer before transferring patta should send a proposal to the CLA. The learned Additional Government Pleader submitted that as the permission of CLA had to be obtained,



reasonable time should be granted to dispose of the Petitioner's representation for grant of free house site patta.

5. Heard both counsels. Perused the materials on record. With consent of both counsels, the main Writ Petition is taken up for final disposal.

6. Clause 9(A)(ii) of the Circular of Commissioner of Land Administration, dated 27.08.2024 reads as follows:

“9).....

A).....

ii) Category III-House did not exist during Natham Settlement and now also vacant – In case of admissible claims subject to the fulfillment of the above said conditions under this category, detailed proposal shall be sent by the concerned DRO to CLA for taking appropriate decisions. In such cases, a certificate should be furnished by the District Revenue Officer in this regard after due verification of the connected details.”

7. Under the facts and circumstances of the case and in the light of the above provision in the CLA's Circular, I am inclined to give reasonable time of six months to the second respondent to dispose of the petitioner's representation, dated 12.09.2023, on merits and in accordance with law. No costs.



8.The Writ Petition is accordingly disposed of. NO costs.

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28.01.2025

NSC :Yes/No
Index:Yes/No
Internet:Yes/No

vsn

To

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- 2.The District Revenue Officer,
District Revenue Office,
Tiruchirappalli District.
- 3.The Revenue Divisional Officer,
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- 4.The Tahsildar,
Tahsildar Office,
Tiruverumbur,
Tiruchirappalli District.



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N.MALA, J.

vsn

ORDER MADE IN
W.P(MD)No.2195 of 2025

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