



W.P.(MD)No.4112 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.4112 of 2025

and

W.M.P.(MD)Nos.2960 & 2964 of 2025

K.Manickam

: Petitioner

Vs.

1.The District Revenue Officer,
Thanjavur,
Thanjavur District.

2.The Tahsildar,
Pattukottai Taluk,
Thanjavur District.

3.M.Anbazhagan

4.R.Parthiban

5.C.Selvakumar

6.Banumathi

7.Deepan Chakkaravarthi

: Respondents

*[R6 & R7 are impleaded vide order dated 26.02.2025
in W.M.P.(MD)No.3785 of 2025]*



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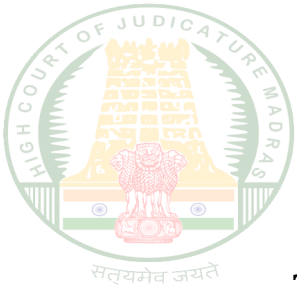
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, calling for the records relating to the proceedings of the impugned order of the first respondent passed in Na.Ka.No.2274065/2024/U(2) dated 15.11.2024 and quash the same and further directing the respondents 1 and 2 to restore the survey No.159/3A and 159/3B in Naduvikottai Village, Pattukottai Taluk, Thanjavur District and to reclassify them as Vandipathai and further to cancel the patta issued in favour of the respondents 3 to 5.

For Petitioner : Mr.Arun Ramnath
for Mr.Robert Chandra Kumari
For Respondents 1&2 : Mrs.S.Jeyapriya
Government Advocate
For Respondents 4&5 : Mr.K.K.Samy

ORDER

The petitioner challenges the order of the first respondent in Na.Ka.No.2274065/2024/U(2) dated 15.11.2024.

2.I have heard the learned Counsel for the petitioner, Mrs.S.Jeyapriya, learned Government Advocate appearing for the respondents 1 & 2 and Mr.K.K.Samy, learned Counsel appearing for the respondents 4 & 5. The third respondent is the vendor of respondents 4 and 5. Respondents 6 and 7 who are interested parties though served, have not chosen to enter appearance.



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3.The case of the petitioner is that the lands which are classified as “Vandipathai” have now been re-classified and patta has been issued to the private respondents. Therefore, the order of the first respondent is under challenge in the present Writ Petition.

4.Learned Counsel for the petitioner would submit that survey No.159 was originally classified only as a “Vandipathai” and it is an admitted position that resettlement register also reflected such position. Therefore, his contention is that the revenue authorities cannot issue patta in respect of lands which are admittedly classified as “Vandipathai”. He would further submit that there was no dispute between any of the parties and the first respondent wrongly directed the petitioner to approach the Civil Court, ignoring that the “Vandipathai” was wrongly sub-divided and reclassified and patta was issued to the private respondents.

5.However, learned Government Advocate as well as learned Counsel for the respondents 4 and 5, in whose names patta has been mutated pursuant to their purchase from the third respondent, would contend that the first respondent has passed a well considered order and relied on the patta issued to one Anbalagan, in respect of S.No. 159/3, more than 40 years back and that the said lands are in



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possession and subsequently, patta has been mutated to the successors in interest. It is also seen that in respect of S.No.157/38 alone patta has been issued in favour of the petitioner's father and S.No.157/1D is classified as "Pathai" and there is no requirement for classifying S.No.159/3 as Government Poramboke Vandipathai, since the patta in respect of the said Survey No.159/3 has been mutated in favour of private respondents four decades ago.

6.I do not find the order impugned in the present Writ Petition to be illegal or perverse. The contentions of the petitioner have been discussed and rejected on merits and therefore, I do not find any justification for interference of the said order, exercising jurisdiction under Article 226 of the Constitution of India.

7.Accordingly, this Writ Petition stands dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

25.03.2025

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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P.B.BALAJI., J.

MR

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