



Rev.Apl.W(MD)Nos.70, 72, 73 and 74 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 12.08.2025

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Rev.Apl.W.(MD)Nos.70, 72, 73 and 74 of 2023

in

W.P.(MD)Nos.19892, 19744, 19818 and 19623 of 2022

and

W.M.P.(MD)Nos.10769, 10830, 10832 and 10833 of 2023

Rev.Apl.W.(MD)No. 70 of 2023:-

1.The District Collector,
District Collector Office,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai North Taluk Office,
Madurai North Taluk,
Madurai.

3.The Village Administrative Officer,
Paravai Bit - 1, Village,
Madurai North Taluk,
Madurai.

... Petitioners

Vs

M.Balasubramanain

... Respondent

Prayer: Review Application is filed under Order XLVII, Rules 1 and 2 of the Civil Procedure Code r/w. Section 114 of Civil Procedure Code, to



Rev.Apl.W(MD)Nos.70, 72, 73 and 74 of 2023

review of the order passed by this Court in W.P.(MD)No.19892 of 2022

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passed dated 26.08.2022 and allow the review application.

For Petitioners : Mr.K.Baskaran,
Addl. Advocate General,
Assisted by Mr.C.Venkateshkumar,
Spl. Government Pleader.

For Respondent : Mr.N.S.Karthikeyan

Rev.Apl.W.(MD)No.72 of 2023:-

1.The District Collector,
District Collector Office,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai North Taluk Office,
Madurai North Taluk,
Madurai.

3.The Village Administrative Officer,
Paravai Bit - 1, Village,
Madurai North Taluk,
Madurai.

... Petitioners

Vs

M.Rajendran

... Respondent

Prayer: Review Application is filed under Order XLVII, Rules 1 and 2 of the Civil Procedure Code r/w. Section 114 of Civil Procedure Code, to review of the order passed by this Court in W.P.(MD)No.19744 of 2022 passed dated 25.08.2022 and allow the review application.



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Rev.Apl.W(MD)Nos.70, 72, 73 and 74 of 2023

For Petitioners : Mr.K.Baskaran,
Addl. Advocate General,
Assisted by Mr.C.Venkateshkumar,
Spl. Government Pleader.

For Respondent : Mr.N.S.Karthikeyan

Rev.Apl.W.(MD)No. 73 of 2023:-

1.The District Collector,
District Collector Office,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai North Taluk Office,
Madurai North Taluk,
Madurai.

3.The Village Administrative Officer,
Paravai Bit - 1, Village,
Madurai North Taluk,
Madurai.

... Petitioners

Vs

B.Prakash Pandian

... Respondent

Prayer: Review Application is filed under Order XLVII, Rules 1 and 2 of the Civil Procedure Code r/w. Section 114 of Civil Procedure Code, to review of the order passed by this Court in W.P.(MD)No.19818 of 2022 passed dated 26.08.2022 and allow the review application.



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Rev.Apl.W(MD)Nos.70, 72, 73 and 74 of 2023

For Petitioners : Mr.K.Baskaran,
Addl. Advocate General,
Assisted by Mr.C.Venkateshkumar,
Spl. Government Pleader.

For Respondent : Mr.N.S.Karthikeyan

Rev.Apl.W.(MD)No.74 of 2023:-

1.The District Collector,
District Collector Office,
Madurai District,
Madurai.

2.The Tahsildar,
Madurai North Taluk Office,
Madurai North Taluk,
Madurai.

3.The Village Administrative Officer,
Paravai Bit - 1, Village,
Madurai North Taluk,
Madurai.

... Petitioners

Vs

M.Indhira

... Respondent

Prayer: Review Application is filed under Order XLVII, Rules 1 and 2 of the Civil Procedure Code r/w. Section 114 of Civil Procedure Code, to review of the order passed by this Court in W.P.(MD)No.19623 of 2022 passed dated 25.08.2022 and allow the review application.



Rev.Apl.W(MD)Nos.70, 72, 73 and 74 of 2023

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For Petitioners : Mr.K.Baskaran,
Addl. Advocate General,
Assisted by Mr.C.Venkateshkumar,
Spl. Government Pleader.

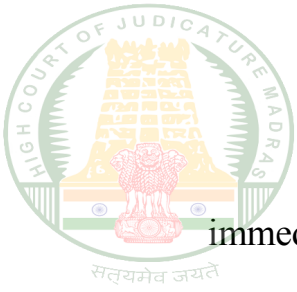
For Respondent : Mr.N.S.Karthikeyan

COMMON ORDER

Heard both sides.

2.The Tahsildar, Madurai North Taluk passed order dated 07.08.2020 assigning 4 ½ cents of land in favour of each of the writ petitioner in S.No.50/1, Paravai Bit – 1 Village. Each of the assignee was to pay a sum of Rs.48,961/-. The cost of assigned land was duly remitted by the assignees on 03.06.2020. In fact, assignment orders were issued only thereafter.

3.The grievance of the writ petitioners was that this was not duly carried out in the village accounts. Hence, W.P.(MD)Nos.19892, 19744, 19818 and 19623 of 2022 were filed. Vide order dated 25.08.2022 and 26.08.2022, the writ petitions were allowed and the jurisdictional Tahsildar was directed to give effect to his own orders



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immediately and without any delay. Contending that the orders of this Court were not complied with, contempt petitions were filed. At that stage, it was pointed out that the assignment orders itself were not sustainable in law. It was indicated to the district administration that if that be so, the course of action open to them was to file review applications. Taking cue therefrom, the present review applications came to be filed.

4.An undisputed fact is that the assignees belong to a single family (husband, wife, son and daughter). It is also not in dispute that they hail from an affluent background. In other words, they will not fall under the landless poor category. In fact, that was never the case projected by the writ petitioners. According to the writ petitioners, since they got the land only on payment of cost, their economic background is irrelevant.

5.Be that as it may, in G.O.(Ms)No.248, Revenue Department dated 28.07.2009, the monetary powers of revenue officials had been defined. As per the said government order, the Tashildar can make assignment in respect of lands whose value is upto Rs.30,000/-. In the



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cases on hand, the total extent of land assigned in favour of the writ petitioners comes close to Rs.2,00,000/-. Each of the assignee was directed to pay a sum of Rs.48,961/-. It is clearly above the monetary power conferred or delegated to the Tahsildar.

6.It is well settled that no Writ of Mandamus can be issued contrary to law. If the order passed by me is sustained, the district administration will have to enforce what is obviously an illegal assignment order. On this sole ground, I have to allow these review applications. The orders dated 25.08.2022 and 26.08.2022 made in W.P.(MD)Nos.19892, 19744, 19818 and 19623 of 2022 are set aside. I cannot, however, help wondering as to why the facts now projected were not placed before me when the writ petitions were allowed by me on 26.08.2022. Whenever instructions are given by the officials to the law officers, they should pose a question “whether all the relevant and material information have been passed on?” Mistakes occur because the instructing officials do not study the files properly. Let this order be placed before the District Collector, Madurai. Let him issue a circular containing instructions for the guidance of the officials instructing the law officers.



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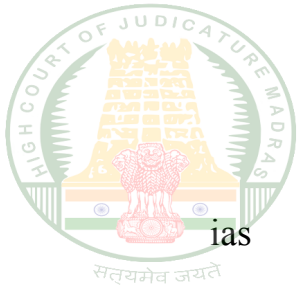
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7.It is however brought to my notice that pursuant to the assignment orders, the assignees had paid close to Rs.3,00,000/- in favour of TANGEDCO under what is known as DCW scheme to effect shifting of a power line. If the assignment orders had not been passed, the writ petitioners would not have had to expend the said amount. Therefore, even while I dismiss the writ petitions filed by the writ petitioners, I direct the District Collector, Madurai to refund the cost remitted by the writ petitioners at the rate of 6% per annum in respect of the assignments. The District Collector is also directed to refund a sum of Rs.2,88,010/- paid by the writ petitioners to TANGEDCO for shifting the power line. This amount also will have to be refunded with interest. Liberty is granted to the government / first review applicant to recover the loss incurred by the administration from the erring officials concerned.

8.These review applications are allowed on these terms. No costs. Consequently, connected miscellaneous petitions are closed.

12.08.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No



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G.R.SWAMINATHAN,J.

ias

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in
W.P.(MD)Nos.19892, 19744, 19818 and 19623 of 2022

12.08.2025
(1/2)