



W.P.(MD)No.9050 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2025

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

W.P.(MD)No.9050 of 2020

and

W.M.P.(MD)Nos.8269 & 8271 of 2020

M/s.V.R.V.Plantations,

A partnership firm represented by

Its partner R.V.Subramaniam,

Son of R.Venugopala Iyer,

Having place of business at

No.69, Town high School Road,

Kumbakonam,

Thanjavur District.

: Petitioner

Vs.

1. The District Collector,

Dindigul,

Dindigul District.

2.The Revenue Divisional Officer,

Kodaikanal,

Dindigul District.

3.The Tahsildar,

Kodaikanal,

Dindigul District.



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4.The Sub Registrar,
Chathrapatti,
Dindigul District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorarified Mandamus, calling for the records of the proceedings in Na.Ka.No.1706/2017/Aa5 dated 27.11.2018 on the file of the second respondent and quash the same as illegal, arbitrary and without jurisdiction insofar as it relates to V.R.V.Plantations No.69, Town High School Road, Kumbakonam, Thanjavur District – 612 001, K.C.Patti Village, Patta No.16, measuring 219.15 and consequently direct the second and fourth respondent to cancel / delete the entry as document No.3 of 2018 dated 24.12.2018 from the encumbrance register maintained in the office of the fourth respondent insofar it relates to the petitioner's properties as mentioned above.

For Petitioner : Mr.H.Lakshmi Shankar

For Respondents 1 to 4 : Mr.M.Lingadurai,
Special Government Pleader

ORDER

Heard the learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader appearing for the respondents.



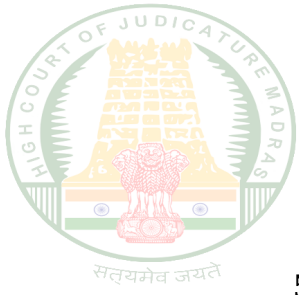
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2.The petitioner challenges the order of the second respondent in Na.Ka.No.1706/2017/Aa5 dated 27.11.2018, as being arbitrary and without jurisdiction and seeks for further direction to respondents 2 and 3 to delete the entry in Document No.3 dated 24.12.2018, from the encumbrance register maintained in the office of the fourth respondent insofar as it relates to the petitioner's property.

3.The case of the petitioner is that the petitioner owns a coffee plantation which is exempt from the provisions of the Tamil Nadu Land Reforms (Fixation of Ceiling on land) Act, 1961 under Section 73(6). However, without noticing the said exemption, proceedings have been initiated.

4.Today, learned Special Government Pleader, on instructions, would submit that the authorities have mistakenly exercised jurisdiction, contrary to the provisions of the enactment. Learned Special Government Pleader would also invite my attention to the communication sent by the Tahsildar Kodaikanal to the Sub-Registrar, Chathrapatti in Na.Ka.No.1706/2017/A5 dated 13.03.2025, in which the Revenue Divisional Officer has already intimated the Sub-Registrar that the petitioner is entitled to the exemption being plantation.



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5. Therefore, recording the said submission of the learned Special Government Pleader on instructions, the impugned order is set aside. The fourth respondent shall make contra entry nullifying the earlier entry relating to the impugned order. The said exercise shall be carried within a period of four [4] weeks from the date of receipt of a copy of this order.

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

20.03.2025

Index : Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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P.B.BALAJI., J.

MR

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