



W.P.(MD)No.12524 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2025

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

WP(MD)No.12524 of 2024

and

W.M.P.(MD)Nos.11186 & 11187 of 2024

Soundaram Muthiah

... Petitioner

Vs.

1. The State Rep.

by its Principal Secretary,

Adi Dravidar and Tribal Welfare Department,

Fort St.George, Chennai.

2. The Director

Adi Dravidar and Tribal Welfare Department,

31, Ezhilagam, Kamarajar Salai, Pwd Estate,

Chepauk, Chennai.

3. The District Collector

O/o.The District Collectorate,

Tiruchirapalli District.

4. The Deputy Collector

Adi Dravidar and Tribal Welfare Department,

O/o.District Collectorate, Tiruchirappalli District.



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5. The Special Tahsildhar
(Adi Dravidar and Tribal Welfare),
Tiruchirappalli,
O/o.The District Collectorate,
Tiruchirappalli District.

6. The Tahsildar
Tiruverumbur Taluk,
Tiruchirappalli District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings of the 3rd respondent in his proceedings in Na.Ka.No.W6/3486/2021 dated 28.09.2021 (served on the Petitioner vide the reply dated 13.12.2023 given by the 6th respondent under the Right to Information Act 2005) in so far as it relates to the serial number no.8 qua the land of the petitioner admeasuring to an extent of 1.70 acres comprised in S.Nos. 35/5 and 35/6 Gundur Village, Thiruverumbur Taluk, Tiruchirappalli District, is concerned and quash the same as illegal and consequentially to direct the respondents to restore the classification of the said land as patta land in the online records and UDR 'A' register within the period that may be stipulated by this Court.

For Petitioner : M/s.Jasima Yasmin
for M/s.Ajmal Associates



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For Respondents : Mr.C.Satheesh
Government Advocate

ORDER

I have heard the learned counsel on either side.

2. The petitioner challenges the proceedings of the third respondent dated 28.09.2021, served on the petitioner only on 13.12.2023 and seeks to quash the proceedings insofar as it relates to the petitioner's lands in survey Nos. 35/5 and 35/6.

3. In and by the impugned proceedings, the petitioner's land have been classified as “Adi Dravidar Natham Lands”. According to the learned counsel for the petitioner, no proceedings had been initiated either the Land Acquisition Act or under Act 31/1978 and that section 6 declaration alone came to be passed. The learned counsel for the petitioner would further submit that even under section 11A of the Land Acquisition Act, proceedings stand lapsed, as award is not passed within a period of two years from the date of Section 6 declaration. The learned



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counsel would further submit that there is absolutely no justification for reclassification of the lands as “Adi Dravidar Natham Lands” and therefore, the learned counsel would pray for the writ petition being allowed.

4. The learned Government Advocate on written instructions would contend that already the Special Tahsildar has conducted necessary enquiry and recommended to the second respondent to drop the proceedings and to issue orders confirming the entitlement of the pattadhars as it stood before the Section 6 declaration. He would further submit that the authorities are in process of passing consequential orders.

5. Recording the said submissions, this Writ Petition is allowed and the impugned order passed by the third respondent is set aside and the first respondent is directed to pass orders, restoring the classification of lands as patta lands, by passing suitable consequential orders within a period of 12 weeks from the date of receipt of a copy of this order. Consequent to the impugned order being quashed, the sixth respondent shall take necessary steps to restore patta in the petitioner's name within a



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period of eight weeks from the date of receipt of a copy of this order.

There shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

28.04.2025

Internet : Yes/No
NCC : Yes/No
LS

To

1. The Principal Secretary,
Adi Dravidar and Tribal Welfare Department,
Fort St.George,
Chennai.
2. The Director
Adi Dravidar and Tribal Welfare Department,
31, Ezhilagam, Kamarajar Salai, Pwd Estate,
Chepauk, Chennai.
3. The District Collector
O/o.The District Collectorate,
Tiruchirapalli District.
4. The Deputy Collector
Adi Dravidar and Tribal Welfare Department,
O/o.District Collectorate,
Tiruchirappalli District.



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P.B. BALAJI, J.

LS

5. The Special Tahsildhar
(Adi Dravidar and Tribal Welfare),
Tiruchirappalli,
O/o.The District Collectorate,
Tiruchirappalli District.
6. The Tahsildar
Tiruverumbur Taluk,
Tiruchirappalli District.

Order made in
W.P.(MD)No.12524 of 2024

Dated:
28.04.2025