



W.P.(MD) No.14923 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.08.2025

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD)No.14923 of 2023

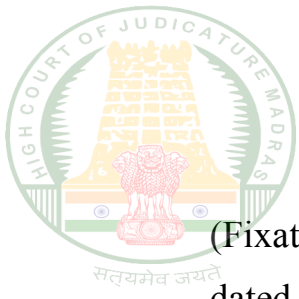
M/s.Teddy Trust,
Represented by its Managing Trustee
Mrs.Frances Amanda Murphy,
D/o.Frances James Murphy,
No.26/A, Tenkasi Road, Alampatti Post,
Thirumangalam, Madurai-625 706.

... Petitioner

Vs

1. The Commissioner of Land Administration,
Ezhilagam, Chepauk, Chennai-600 005.
2. The Commissioner of Land Reforms,
Ezhilagam, Chepauk, Chennai-600 005.
3. The Additional Secretary To Government,
Revenue and Disaster (Lr-II) Department,
Government of Tamil Nadu,
Secretariat, Chennai-600 009.
4. The Revenue Divisional Officer,
Thirumangalam, Madurai.
(R4 is *Suo Motu* impleaded vide Court
Order Dated 23.06.2023 in WP(MD).14923/2023) ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to renew the permission issued U/s.37-B of the Tamilnadu Land Reforms



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(Fixation of Ceiling on Land) Act, 1961 issued under G.O.Ms.No.1103 dated 21.11.1997, issued by the Revenue (Land Reforms II (1)) Department, Government of Tamilnadu based on the petitioner's representation dated 06.03.2023 and 17.05.2023 within a specified time limit.

For Petitioner : M/s.A.Madhumathi

For Respondents : Mr.A.Baskaran,
Addl. Govt. Pleader

ORDER

This Writ Petition is filed seeking a direction to the respondents to renew the permission issued under Section 37-B of “the Tamilnadu Land Reforms (Fixation of Ceiling on Land) Act, 1961” (hereinafter referred to as “the said Act”), by considering the petitioner's representation dated 17.05.2023.

2. Heard the arguments of M/s.A.Madhumathi, learned counsel for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents.

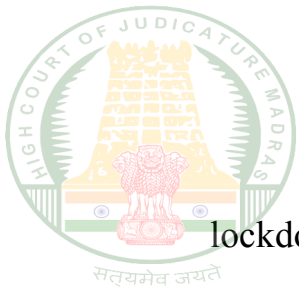
3. It is the case of the petitioner that 16.99 acres of land in Melkottai, Karisalpatti and Natham Villages at Madurai District belonged to the petitioner's Trust. The petitioner obtained exemption under



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Section 37-B of the said Act. The exemption was granted to the petitioner on condition that the land should be fully utilised for a permitted social cause for a period of 5 years. It is further stated by the petitioner that the petitioner has been utilising the said land by establishing a clinic under the name “Teddy Community Health Centre”. In the meantime, the petitioner's Managing Trustee's husband died in a road accident and the Managing Trustee also received multiple injuries. Therefore, there was lull in the utilisation of the above said land for the social purpose. The Assistant Commissioner of Land Reforms, Madurai without taking into consideration the factual scenario, passed an order on 17.08.2025 under Section 20-A of the said Act. Aggrieved by the same, the petitioner filed a revision before the second respondent and the same was disposed of on 09.10.2006, by setting aside the order passed by the Assistant Commissioner.

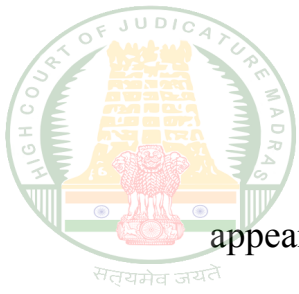
4. The Assistant Commissioner, Land Reforms, Madurai was directed to conduct field visit of the properties belonged to the petitioner Trust and file a report. The petitioner received a notice from Revenue Divisional Officer, Thirumangalam on 21.03.2020, directing the petitioner to attend for enquiry on 08.04.2020. Due to the nationwide



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lockdown clamped by the Government, the petitioner could not attend the enquiry. If any order is passed against the petitioner without taking into consideration the actual facts, the petitioner will be put to irreparable loss. Therefore, the petitioner submitted a representation dated 17.05.2023 before the respondents 1 to 3 and the same has not been considered till date. Therefore, the petitioner has come before this Court with the instant Writ Petition seeking direction to the respondents to renew the exemption granted under Section 37-B of the said Act.

5. The learned Additional Government Pleader appearing for the respondents by referring to the counter filed by the fourth respondent would submit that the petitioner failed to appear for enquiry on 08.04.2020 in response to the notice dated 21.03.2020 issued by the fourth respondent and hence, the Tahsildar, Thirumangalam was directed to conduct a detailed enquiry and file a field inspection report. The Tahsildar, Thirumangalam submitted a detailed report on 10.11.2021 recommending to take action against the petitioner Trust for violation of conditions and to resume the above mentioned lands. At this juncture, the petitioner has come up with this Writ Petition. It is contended by the learned Additional Government Pleader that the petitioner, who failed to



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appear for enquiry, is not entitled to invoke the discretionary jurisdiction of this Court.

6. In the affidavit filed in support of the Writ Petition, the petitioner has categorically stated that notice was issued by the fourth respondent on 21.03.2020, directing the petitioner to appear for enquiry on 08.04.2020. It is a matter of common knowledge that nationwide lockdown was clamped by the Government from the 3rd week of March 2020 due to COVID-19 pandemic.

7. In the above circumstances, without expressing any opinion on the merits of the matter, this Court directs the second respondent to consider the representation submitted by the petitioner dated 17.05.2023 and pass final orders on its own merits within a period of twelve (12) weeks from the date of receipt of a copy of this order, after affording reasonable opportunity to the petitioner.

8. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

07.08.2025

vsm

Index: Yes/No

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Internet: Yes/No

Neutral Citation: Yes/No

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S.SOUNTHAR, J.

vsm

To

1. The Commissioner of Land Administration,
Ezhilagam, Chepauk, Chennai-600 005.
2. The Commissioner of Land Reforms,
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