

W.P.(MD)No.23845 of 2018

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 17.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.23845 of 2018
and
W.M.P.(MD)No.5489 of 2019

1. M.Chinnakkannu
2. Mahalingam
3. Muruganantham
4. Kaleeswari
5. Selvi
6. Muthu Vijay
7. Muruganantham
8. Panju
9. Murugan
10. Muthuselvam

... Petitioners

Vs.



W.P.(MD)No.23845 of 2018

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1. The District Collector,
Madurai District Madurai.

2. The District Revenue Office,
Madurai District Madurai.

3. The Revenue Divisional Officer,
Othakadai, Madurai District.

4. The Tahsildar,,
Madurai South Taluk, Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the 4th respondent to change the Village and Taluk Register relating to S.No.70/3A = 1.04.5 hectares situated at Kusavapatti Village, Madurai South Taluk, Madurai District, by including the petitioners' name in that register.

For Petitioners : Mr. R.Murugappan

For Respondents : Mr.B.Saravanan
Additional Government Pleader



W.P.(MD)No.23845 of 2018

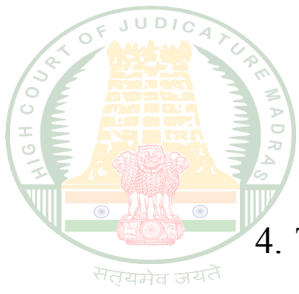
ORDER

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The petitioner seeks issuance of writ of mandamus, to direct the fourth respondent to include the petitioners' name in the Village and Taluk Register based on the assignment issued to the petitioners.

2. Heard the learned counsel for the petitioners and the learned Additional Government Pleader for the respondents.

3. The learned Additional Government Pleader appearing for the respondents would submit that no records are available with the fourth respondent to verify whether the assignment issued to the petitioners is valid and genuine. Therefore, the respondents have been unable to pass any orders on the petitioners' representation. However, the unavailability of records cannot be a ground to deny the request of the petitioners, especially when the petitioners' assert that an assignment order was issued to them on 30.05.2007.



W.P.(MD)No.23845 of 2018

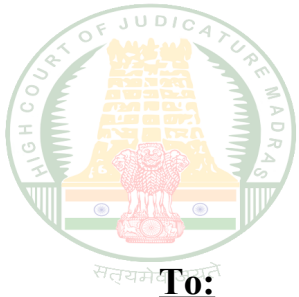
4. Therefore, I deem it fit to dispose of the writ petition by directing the petitioners to appear for an enquiry before the Tahsildar / 4th respondent on 07.05.2025 at 03.00 p.m. The petitioners shall produce the original assignment orders issued to them, along with any relevant records and the said originals shall be verified by the Tahsildar / 4th respondent and if, *prima facie*, the claim of the petitioners are found to be genuine, the Tahsildar / 4th respondent shall proceed to pass orders on the petitioners' request for including their names in the Village and Taluk Register, notwithstanding the fact that the related original records are not available with the Tahsildar / 4th respondent. After conducting enquiry on 07.05.2025, the Tahsildar / 4th respondent shall pass orders on or before 30.05.2025.

5. With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

NCC:yes/no
Index:yes/no
Internet:yes/no
jbr

17.04.2025

NOTE: Issue order copy on 21.04.2025



W.P.(MD)No.23845 of 2018

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W.P.(MD)No.23845 of 2018

P.B.BALAJI, J.

jbr

W.P.(MD)No.23845 of 2018

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