



W.P.(MD) No.18089 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.18089 of 2025

I.Raja

... Petitioner

Vs.

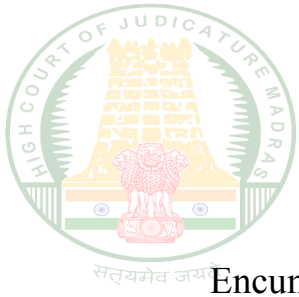
1.The Revenue Divisional Officer cum
Authorized Officer (Land Reforms)
Thirunelveli Revenue Division,
Collectorate Campus,
Kokkirakulam,
Tirunelveli District.

2.The District Registrar,
Palayamkottai,
Tirunelveli District.

3.The Sub Registrar,
Burkit Managaram SRO,
Palayamkottai Taluk,
Tirunelveli District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 1st respondent to withdraw his order dated 10.10.2012 vide A2/MRI/23R/TNV and to inform the respondents 2 and 3 to remove the entries carried out in the



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Encumbrance Certificate, as the land ceiling proceedings in respect of the properties in Survey No.384/1 and 384/2 Ariyakulam Village have already been withdrawn by the order of the Joint Commissioner of (Land Reforms) Thirunelveli on 30.01.2013 itself by the virtue of the final order passed by the Honble Supreme Court of India in CA 12090/1996 and 12091/1996 dated 06.03.2003 based on the petitioners representation dated 29.11.2024 within a stipulated time frame fixed by this Court.

For Petitioner : Mr.Aayiram K.Selvakumar
For R1 : Mr.K.Malathi
Additional Government Pleader
For R2 and R3 : Mr.S.Kameswaran,
Government Advocate

ORDER

The petitioner herein seeks a direction to the first respondent to withdraw his order dated 10.10.2012 vide proceeding number A2/MRI/23R/TNV and also intimate respondents 2 and 3 to remove the entries carried out in the encumbrance certificate in respect of the land situated in Survey No.384/1 and 384/2 Ariyakulam Village by considering the petitioner's representation dated 29.11.2024.



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2. According to the petitioner, he purchased the subject property, under two sale deeds with document No.1335 of 2010 and 1527 of 2011 on the file of the Sub Registrar, Burkitmanagar, from one Thirumalaiappan Muthaliyar. The subject properties are situated in Ariyakulam village. The petitioner's land in Ariyakulam were originally declared as surplus under provisions of Tamil Nadu Land Reforms Act. Therefore, the Joint Commissioner Land Reforms Tirunelveli, passed an order declaring the sale transaction by the family members as void. Subsequently, as per the order passed by the Hon'ble Apex Court in S.L.P.No.28379 of 1994, the lands situated in Ariyakulam village were released from land reform proceedings in lieu of the land situated in other village. Taking into consideration the order passed by the Hon'ble Apex court, the Joint Commissioner (Land Reforms), Tirunelveli, in his order dated 30.01.2013, restored the lands in Ariyakulam village, in favour of the original land owners. However, the entry made in the records of the third respondent office, with regard to the invalidity of the sale transaction, has not been removed. Therefore, petitioner submitted a representation on 29/11/2024 before the first respondent who is the competent authority as on the date, to consider the order passed by Joint



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Commissioner, Land Reforms, Tirunelveli, dated 30.01.2013, and intimate the registering authorities to remove the entries regarding the invalidity of the sale transactions. The said representation has not been considered. Hence the petitioner has come before this Court.

3. Learned Additional Government Pleader who takes notice for the first respondent would submit that the first respondent already sought for a clarification from the Commissioner of Land Administration, regarding action to be taken on the representation submitted by the petitioner and the orders of the Commissioner is awaited.

4. In view of the same, without expressing any opinion on the merits of the matter, the first respondent is directed to consider the representation of the petitioner dated 29.11.2024, in the light of the order passed by Joint Commissioner, Land Reforms, Tirunelveli, dated 30.01.2013 and pass final orders on its own merits within a period of eight weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of. No costs.

04.07.2025

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

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To

1.The Revenue Divisional Officer cum
Authorized Officer (Land Reforms)
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Collectorate Campus,
Kokkirakulam,
Tirunelveli District.

2.The District Registrar,
Palayamkottai,
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3.The Sub Registrar,
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S. SOUNTHAR, J.

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