



W.P.(MD) No.30038 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:12.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.30038 of 2024

Muthusamy

... Petitioner

vs.

1.The District Collector,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Melur, Madurai District.

3.The Tahsildar,
Melur Taluk,
Madurai District.

4.The District Forest Officer,
Madurai.

... Respondents

[R4 is suo-motu impleaded vide order
dated 13.12.2024]

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned order issued by the second respondent in Ni.Mu.No.806/2024/a1, dated 06.06.2024 and quash the same as illegal and further direct the second respondent to grant assignment in favour of the petitioner with respect to us of land situated in S.No.404/3, having an extent of 85.04.50 hectare, situated at Ambalakaran Village, Madurai District.



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For Petitioner : Ms.D.Saranya

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

The petitioner challenges the order of rejection of application for patta by the second respondent/Revenue Divisional Officer, Melur, Madurai District, on 06.06.2024.

2.The learned Additional Government Pleader, on instructions, would submit that the subject lands, in respect of which patta is sought for by the petitioner, are forest lands and are being classified as reserved forests and hence, the officials respondents are not in a position to process the request of the petitioner for issuance of patta.

3.However, the learned counsel for the petitioner would submit that the petitioner has been cultivating in the subject lands for the past several decades and therefore, the reasoning of the second respondent for rejecting the petitioner's application for patta is totally unsustainable.



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4.Be that as it may, the order passed by the second respondent is revisable before the District Revenue Officer, Madurai, which has also been indicated even in the impugned order dated 06.06.2024. The petitioner has an effective alternate remedy to agitate the rejection of the petitioner's request for patta before the District Revenue Officer, Madurai, within a period of four weeks from the date of receipt of a copy of this order. The District Revenue Officer, Madurai shall entertain the said revision without putting the issue of limitation against the petitioner and shall consider the revision on its own merits and in accordance with law and pass orders on the same, within a period of twelve weeks thereafter.

No costs.

12.02.2025

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NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

1.The District Collector,
Madurai District, Madurai.

2.The Revenue Divisional Officer,
Melur, Madurai District.

3.The Tahsildar,
Melur Taluk,
Madurai District.



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4.The District Forest Officer,
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Copy to

The District Revenue Officer,
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