



W.P.(MD) No.2209 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.01.2026

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THE HONOURABLE MR.JUSTICE K.SURENDER

W.P.(MD) No.2209 of 2026

M.Selvam

... Petitioner

Vs.

1.The Sub Collector,
Office of Sub Collector,
Thamaraikulam,
Periyakulam Taluk,
Theni District.

2.The Tahsildar,
Periyakulam Taluk,
Theni District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the first respondent herein to forthwith dispose of the statutory appeal dated 20.5.2022 in the light of the Circular No.W.V-1/82/Adm.II (SRI) PP-IV, Govt. of India/Bharat Sarkar, Ministry of Home Affairs/Grs.Mantralaya, New Delhi, dated 30.07.1983, issued by the Joint Secretary to Government of India and as per the order of this Court dated 19.06.2023 made in W.P. (MD) No. 9677 of 2023 and restore the revenue records pertaining to Survey No.967 measuring 1.67 Acres and Survey No.943/3 measuring 3.33 Acres in Thamaraikulam Bit-I, Periyakulam Taluk, Theni District.



W.P.(MD) No.2209 of 2026

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For Petitioner : Mr.K.Appadurai

For Respondents : Mr.P.Subbaraj
Special Government Pleader

ORDER

This Writ Petition has been filed seeking issuance of a Writ of Mandamus directing the first respondent herein to forthwith dispose of the statutory appeal dated 20.05.2022, in the light of Circular No.W.V-1/82/Adm.II (SRI) PP-IV, issued by the Government of India, Ministry of Home Affairs, New Delhi, dated 30.07.1983 and in accordance with the order of this Hon'ble Court dated 19.06.2023 made in W.P. (MD) No. 9677 of 2023 and consequently to restore the revenue records pertaining to Survey No.967 measuring 1.67 Acres and Survey No.943/3 measuring 3.33 Acres, situated at Tamaraikulam Bit-I, Periyakulam Taluk, Theni District.

2. With the consent of the parties, this Writ Petition is taken up for final disposal at the admission stage itself.



W.P.(MD) No.2209 of 2026

3. The grievance of the petitioner is that the petitioner served in the Border Security Force from 1992 to 2015. The petitioner's family possesses and enjoys the subject barren lands. They developed the said lands and are carrying on cultivation, as evidenced from the A-Register. Patta No.2075 in respect of Survey No.943/3 stands in the name of the petitioner and Patta No.6135 in respect of Survey No.967 stands in the name of the petitioner's wife. The computer patta dated 05.08.2021 would also disclose the same.

4. Since the petitioner served as a personnel of the Border Security Force and is now an Ex-Serviceman, he is entitled to the benefit of the circulars issued by the Government of India to the State Governments as part of welfare measures. The Joint Secretary to the Government of India issued Circular No. W.V-1/82/Adm.II (SRI) PP-IV, Ministry of Home Affairs, New Delhi, dated 30.07.1983, addressed to all the Chief Secretaries of the State Governments, for the benefit of Border Security Force personnel, Ex-Servicemen and Army personnel.

5. In the said circular, the State Governments were informed that the role of Border Security Force (BSF) personnel is fraught with



W.P.(MD) No.2209 of 2026

professional hazards, similar to those faced by Army personnel. It was further stated that a number of BSF personnel are prematurely retired on account of disability arising out of such professional hazards and also due to the requirement of maintaining high standards of physical fitness in the Force. Consequently, such personnel are left with no alternative but to seek employment and assistance in the civilian sector, having regard to the very nature of their duties. In order to sustain the morale of BSF personnel, it was emphasized that the Force deserves the same facilities and concessions that are permanently extended to Ex-Army Jawans, CRPF, Assam Rifles personnel and other Ex-Servicemen by the State Governments. Therefore, the States were requested to instruct Cooperative Housing Societies, State Housing Boards, Fire Brigades and other State organizations to accord the same priority to Ex-BSF personnel, as well as to the dependents of those who were killed, in matters of resettlement, rehabilitation and allied welfare measures. In the light of the above circular, pattas have been issued in favour of the petitioner and his wife in respect of the subject properties, which have been in their possession and enjoyment for several years, even prior to the grant of patta.



W.P.(MD) No.2209 of 2026

6. However, the second respondent, without issuing any notice or conducting any enquiry and without initiating any proceedings or cancelling the pattas standing in favour of the petitioner and his wife, wrongly corrected the revenue records. Aggrieved by the same, the petitioner preferred an appeal before the first respondent on 20.05.2022 seeking restoration of the revenue records. The first respondent also addressed a communication dated 18.07.2022 to the second respondent, directing him to conduct a field inspection and submit a report. However, no reply was received. Even the petitioner's reminder to the first respondent evoked no response. Therefore, the petitioner was constrained to file a writ petition in W.P. (MD) No.9677 of 2023 seeking a direction to the first respondent to dispose of the petitioner's appeal. This Court, by order dated 19.06.2023, issued such a direction. However, even thereafter, the first respondent has failed to dispose of the appeal till date. Hence, the petitioner has been constrained to file the present Writ Petition.

7. The learned Special Government Pleader appearing for the respondents, on instructions, would submit that the petitioner's appeal dated 20.05.2022 would be disposed of by the first respondent within a period of eight weeks.



W.P.(MD) No.2209 of 2026

8. Recording the above submission and without expressing any opinion on the merits of the matter, this Writ Petition is disposed of with a direction to the first respondent to dispose of the petitioner's appeal dated 20.05.2022, on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. The first respondent is also directed to provide a reasonable opportunity of hearing to the petitioner and any other interested parties who may be affected by such decision, before passing any order. The petitioner is at liberty to raise all the contentions urged in this Writ Petition, along with the said circular. There shall be no order as to costs.

[K.SURENDER, J.]
30.01.2026

JEN
Index : Yes / No
Neutral Citation : Yes / No

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W.P.(MD) No.2209 of 2026

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W.P.(MD) No.2209 of 2026

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