

W.P.(MD) No.20762 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.20762 of 2025

N.Sethu

... Petitioner

Vs.

1.The Secretary,
Department of Land and Revenue Administration,
Fort St.George, Chennai.

2.The Commissioner,
O/o.The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai.

3.The District Collector,
Theni District, Theni.

4.The District Revenue Officer,
Theni District, Theni.

5.The Revenue Divisional Officer,
Uthamapalayam Revenue Division,
Uthamapalayam,
Theni District.

6.The Tahsildar,
Uthamapalayam Taluk,
Uthamapalayam,
Theni District.

... Respondents



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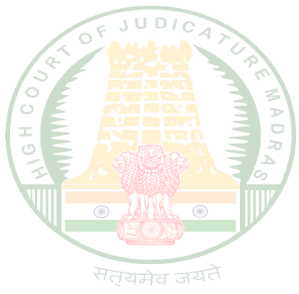
Prayer:- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents for the allotment of un-encumbered non-waterbody dry land in Theni District in the light of G.O.No.3102, Revenue issued by the Government of Madras dated 23.12.1947 vide Government Memorandum No.4008-F/47-1, Revenue dated 15.11.1947 and G.O.No.1523 Revenue issued by the Government of Madras dated 11.06.1949, to facilitate the legal heirs of the Freedom Fighter Late.Natarajan, Chinnamanur, Uthamapalayam Taluk, Theni District, based on the petitioner's representation dated 17.07.2025.

For Petitioner : Mr.Safar Badusha

For R1 to R6 : Mr.A.Baskaran
Additional Government Pleader

ORDER

The petitioner herein seeks a direction to the respondents to consider the allotment of un-encumbered, non-waterbody dry land in Theni District, in the light of various Government Orders issued for the assignment of land to the legal heirs of freedom fighters, by considering his representation dated 17.07.2025.

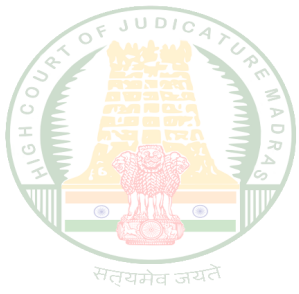


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2.Heard the arguments of Mr.Safar Badusha, learned counsel appearing for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3.According to the petitioner, his father was assigned with the land in Survey No.675 in Chinnamanur, Udaiyankulam Taluk, Theni District, on the ground he was a freedom fighter. However, the revenue patta was refused on the ground that the assigned land was classified as water body. The challenge made by the petitioner to the cancellation order met with failure, by dismissal of the writ petition in WP(MD) No.15994 of 2025. The petitioner claiming himself as a legal heir of the freedom fighter submitted the instant representation dated 17.07.2025, seeking assignment of unencumbered, non-water body land, in the light of the various Government orders referred in the said representation. The same has not been considered. Hence, the petitioner has come before this Court.



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4.The learned Additional Government Pleader appearing for the respondents would submit that the representation of the petitioner will be considered in accordance with law subject to his eligibility.

5.In view of the same, without expressing any opinion on the merits of the matter, the third respondent is directed to consider the representation of the petitioner dated 17.07.2025 and pass final orders on its own merits, within a period of twelve weeks from the date of receipt of a copy of this order, after affording reasonable opportunity to the petitioner. Accordingly, this Writ Petition is disposed of. No costs.

30.07.2025

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

1.The Secretary,
Department of Land and Revenue Administration,
Fort St.George,
Chennai.



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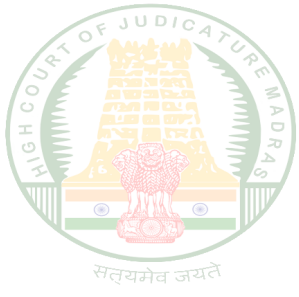
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S.SOUNTHAR,J

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