

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 26/02/2026

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THE HONOURABLE MR. JUSTICE N. SENTHILKUMAR

CRP(MD). No.111 of 2026

1. Sethumadhavan
2. Velmurugan

... Petitioners

Vs

1. Sigamani
2. The District Collector,
Ramanthapuram..
3. The Tahsildar,
Rameswaram Taluk,
Ramanathapuram
District..

4. The Principal Secretary,,
Revenue and Disaster Management
Department,Fort St.George, Chennai.

Respondent No.4 is Suo-Motu Impleaded as Per the Order of This Court
Dated 12.02.2026)

... Respondents

PRAYER :- Civil Revision Petition filed under Article 227 of Constitution of India, to pass an order setting aside the fair and executable order dated 09-03-2001 passed in the suit O.S.No.6 of 2001 on the file of the Subordinate Court, Ramanathapuram and allow the same and pass such other further order as this Honourable Court may deem fit and proper in



the circumstances of the case and thus render justice.

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For Petitioner : Ms. T. Sivashree
for Mr. J. Barathan,
For Respondents 2, 3 and 4 : Mr. Veerakathirava
Additional Advocate General
Assisted by Mr.P. Thambidurai,
Government Advocate (Crl.Side)
For respondent No.1 : Ms.P. Jessi Jeeva Priya

ORDER

This Civil Revision Petition has been filed to set aside the fair and executable order dated 09.03.2001 passed in O.S. No.6 of 2001 on the file of the Subordinate Court, Ramanathapuram.

2. Mr. Veerakathiravan, learned Additional Advocate General, filed a typed set of papers detailing the steps taken pursuant to the directions issued by this Court vide order dated 12.02.2026, whereby the Principal Secretary to Government, Revenue and Disaster Management Department, was impleaded as the fourth respondent.

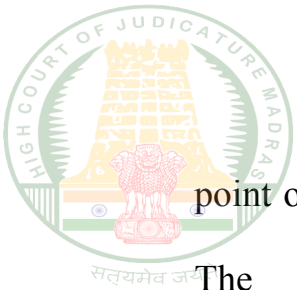
3. An affidavit dated 25.02.2026 has been filed by Tmt. Amudha, I.A.S., Additional Chief Secretary to Government, Revenue and Disaster Management Department, setting out the steps allegedly taken by the



Department. Reference has been made to circulars issued by the Additional Chief Secretary / Commissioner of Land Administration, Chepauk, Chennai, dated 14.05.2014 and 17.05.2018, which lay down guidelines regarding the manner in which civil suits against the Government are to be handled.

4. It is seen from the records that the suit property is classified as Government Natham Poramboke land, including Natham Poramboke vacant site. The suit was filed seeking declaration of title and permanent injunction in respect of the said property. In the said suit, the District Collector, Ramanathapuram, was arrayed as the first defendant and the Tahsildar, Rameswaram Taluk, Ramanathapuram District, was arrayed as the second defendant. Both of them remained ex parte, and an ex parte decree came to be passed on 09.03.2001.

5. Pursuant to the order of this Court, the Commissioner of Land Administration addressed a letter to the Additional Chief Secretary to Government vide Letter No.T4/13222440/2026 dated 19.02.2026 informing about the impleadment of the fourth respondent. On the same date, a letter was addressed to the District Collector, Ramanathapuram, directing him to identify the Law Officer who was in charge at the relevant



point of time and the revenue officials responsible for the ex parte decree.

The District Revenue Officer, Ramanathapuram, addressed communications to the Court Manager, Sub Court, Ramanathapuram, and to the Subordinate Judge, Ramanathapuram, seeking details regarding the Government Pleader and the Tahsildar concerned. On 20.02.2026, the District Collector addressed a communication proposing disciplinary action against the Tahsildar who was the contesting defendant in the suit. Thereafter, by proceedings dated 21.02.2026, the District Revenue Officer intimated that action was proposed against the then Government Pleader and the Tahsildar. Subsequently, by proceeding dated 25.02.2026, the Commissioner of Land Administration addressed to the Additional Chief Secretary regarding the steps taken to initiate action against the Government Pleader and the Tahsildar. However, it is evident that the entire exercise undertaken by the Government pertains only to initiating action against the Tahsildar and the then Government Pleader. There is absolutely no reference to any action proposed or initiated against the District Collector, who was arrayed as the first defendant and had also remained ex parte.

6. The learned counsel appearing for the revision petitioner specifically pointed out that when the District Collector was also set ex



partes along with the Tahsildar, the Government cannot selectively proceed only against the Tahsildar while remaining silent regarding the lapse on the part of the District Collector.

7. The learned Additional Advocate General submitted that the Tahsildar is the custodian of records and is authorised to adduce evidence on behalf of the District Collector and the Government. While such a submission may apply where evidence is actually let in on behalf of the Government, it cannot justify the inaction on the part of the District Collector in a case where he was a party to the suit and remained ex parte.

8. It is further brought to the notice of this Court that applications in I.A. Nos.33 and 34 of 2004 were filed to condone the delay of 384 days and to set aside the ex parte decree, which were dismissed on 14.06.2004. The Government has not challenged the dismissal of the said applications before the higher forum. This clearly demonstrates lack of diligence in safeguarding Government property.

9. The Government, being the custodian of public land, cannot remain a mute spectator when valuable Government property is the subject matter of litigation. Failure of responsible officers to contest such suits



seriously affects public interest.

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10. Therefore, this Court, directs the fourth respondent, viz., the Principal Secretary to Government, Revenue and Disaster Management Department, to initiate appropriate disciplinary proceedings against the District Collector, Ramanathapuram, who remained ex parte in O.S. No.6 of 2001, and proceed in accordance with law. The fourth respondent is further directed to issue a comprehensive Government Order prescribing clear guidelines for all Government Pleaders and Revenue Officials across the State, specifying:

(i) their duties and responsibilities in civil suits filed against the Government;

(ii) mandatory steps to be taken when Government officials are set ex parte;

(iii) time lines for filing written statements, applications to set aside ex parte orders, appeals, and petitions for condonation of delay; and

(iv) disciplinary consequences for dereliction of duty.

11. The Government shall also consider constituting a Legal Cell in

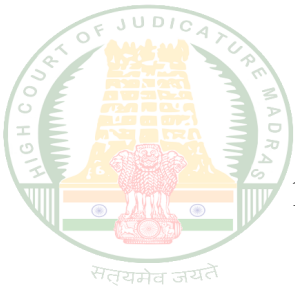


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every Taluk, to be monitored by the District Collector, District Revenue Officer and Revenue Divisional Officer. The Legal Cell, headed by the Revenue Divisional Officer, shall periodically review all civil cases in which the Government is a party and ensure that appropriate steps are taken in a timely manner. Periodical reports shall be forwarded to the Commissioner of Land Administration to the Additional Chief Secretary to Government. The above exercise shall be completed and appropriate Government Orders shall be issued within a period of six (6) months from the date of receipt of a copy of this order.

12. The Additional Chief Secretary, Revenue and Disaster Management Department, shall file a status report before this Court within a period of four (4) months from today, indicating the number of cases within the jurisdiction of the Madurai Bench of Madras High Court, in which the Government has remained ex parte and the steps taken to set aside such ex parte orders.

13. Registry is directed to communicate a copy of this order to the Chief Secretary to Government, the Principal Secretary to Government, Revenue and Disaster Management Department, and the District Collector, Ramanathapuram, for necessary compliance.



14. List the matter on 16.03.2026 for further hearing.

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26.02.2026

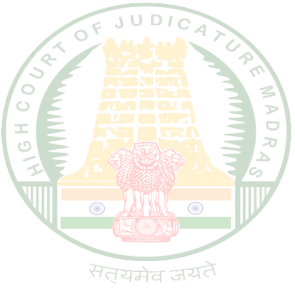
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To

1. The District Collector,
Ramanthapuram..

2. The Tahsildar,
Rameswaram Taluk,
Ramanathapuram
District..

3. The Principal Secretary,,
Revenue and Disaster Management
Department,Fort St.George, Chennai.



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N. SENTHILKUMAR,J

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