

LAND REFORMS DEPARTMENT

From
Tmt. Jayashree Raghunandan, I.A.S.,
Principal Secretary/
Commissioner of Land Reforms,
Chepauk,
Chennai – 600 009.

To
All District Collectors
(except) Chennai

Rc. G1/9487/2015 (L.Ref.), dated 21.3.2016

Sir/Madam,

Sub: *Land Reforms* – Court cases – Monitoring of
court cases – Instruction issued - Regarding.

The Government in their order in G.O.Ms.No. 34, Revenue, dated 14.1.2015 have Re-structured the Land Reforms and ordered to attach the subjects relating to Land Reforms, Bhoodan and Agricultural Income Tax to the 31 District Collectorates (except Chennai). As per the above order and as per the amendment issued in G.O.Ms.No.255, Revenue, dated 10.7.2015, the Additional Personal Assistant (Land) to Collector is to assist the Collector and Revenue Divisional Officer to monitor and implement the above said work administratively.

I. *Filing of ‘Substitution Petition’ in place of erstwhile Assistant Commissioner (Land Reforms)*

- (i) Consequent on the abolition of the post of Assistant Commissioner (Land Reforms) and conferment of powers of ‘Authorised Officer’ and ‘Assigning Authority’ to the Revenue Divisional Officers / Sub Collectors, the cause title in the cases of Writ Petition/ Writ Appeals do not change automatically. That requires Court procedure for substitution to be followed. As such step has not been taken for all pending cases, no proper communication from the Government Pleader’s Office are being received by the Revenue Divisional Officers / Sub Collectors and also in the district and the cases could not be effectively monitored.

- (ii) Therefore, I request you to kindly instruct all the Revenue Divisional Officers / Sub Collectors in the district to file a Substitution Petition in place of erstwhile Assistant Commissioner (Land Reforms) in consultation with Government Pleader / Special Government Pleader / Additional Government Pleader and to instruct the Additional Personal Assistant (Land) to Collector to monitor the progress of work on filing of "Substitution Petition" and to send a weekly report to this office of having completed it for all the pending cases. I am to point out that a list of pending cases on Land Reforms district-wise and division-wise have already been communicated to all the districts and divisions.
- (iii) The similar exercise is to be done for all cases in subordinate courts and reported.
- (iv) The report must be accompanied by list of cases for which the substitution is done.

II. Monitoring of Court cases:

- (i) Among the various subjects on Land Reforms that are being monitored by the Additional Personal Assistant (Land) to Collector, it is necessary to monitor the Court cases on Land Reforms effectively by them in the district.
- (ii) The Court cases that are filed in the Madras High Court and in the Madurai Bench of Madras High Court are to be monitored by watching the cause list of Madras and Madurai Bench of High Court Website that are being uploaded daily in the late evenings and further steps are to be taken to defend the cases by way of making appearance in the Court or by filing Counter Affidavit in time.
- (iii) In order to monitor the Court cases effectively, the District Collectors are requested to
 - a) appoint the Additional Personal Assistant (Land) to Collector or other responsible officer as 'Officer in-charge of Court cases on Land Reforms in the district' and they may be instructed to monitor all

the cases in the District and co-ordinate with the Revenue Divisional Officers / Sub-Collectors concerned and this office. The contact details of the officers concerned is to be sent immediately.

- b) direct all Revenue Divisional Officers / Sub-Collectors and APA (Land) to watch the daily cause list uploaded in the High Court website daily to see whether any Land Reforms cases are listed next day.
- c) the concerned Revenue Divisional Officer / Sub Collector to depute a person to the Court with files and proper briefing of case to give the Government Pleader representing the case.
- d) In case of districts where they could not reach the Court in time even if a person deputed start early in the morning, the concerned APA (Land) to Collector / Revenue Divisional Officer / Sub-Collector concerned should contact the APA (Land) Madurai for Madurai cases / or the Assistant Commissioner -3 of the Headquarters for Madras High Court cases, and supply all necessary information to him by sending a letter through Fax or by e-mail and also to intimate the position to the concerned Government Pleader / Special Government Pleader / Additional Government Pleader, as the case may be.
- e) The APA (Land) / Revenue Divisional Officer / Sub-Collector / official designated by Collector for Land Reforms cases should coordinate with this office and report the outcome of the case on the same day.

2) I therefore request you to kindly issue necessary instructions to the APA (Land) to Collector and to all the Revenue Divisional Officers / Sub Collectors in this regard and send a copy of the instructions issued to this office immediately.

Yours faithfully,
Sd/- Jayashree Raghunandan
Principal Secretary /
Commissioner of Land Reforms