



W.P.(MD)No.4982 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.10.2023

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.4982 of 2021

1.N.Premnath
2.N.Ramesh
3.N.Parthiban
4.R.Amutha
5.M.Mageshwari

... Petitioners

vs.

1.The Commissioner of Land Administrator,
Government of Tamil Nadu Land Administration Department,
2nd Floor, Ezhilagam, Chaepakam, Chennai 600 005.

2.The Additional Chief Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Chennai – 9.

3.The District Collector,
District Collector Office, Thanjavur District, Thanjavur..

4.The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur District, Thanjavur.

5.The Revenue Divisional Officer,
Kumbakonam, Thanjavur District, Thanjavur.



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6.The Tahsildar,
Adi Diravidar Department,
Papanasam Taluka (Now Thiruvaiyaru),
Thanjavur District, Thanjavur.

7.The Tahsildar,
Papanasam Taluka,
Thanjavur District, Thanjavur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to grant patta to them for the lands in Survey No.296/2 an extent of 1 acre, Survey No. 296/5 an extent of 1 acre, Survey No.296/6, an extent of 1 acre, Survey No. 296/3 an extent of 1 acre, Survey No. 296/4 an extent of 1 acre, Injikollai Village, Saaliyamangalam Revenue Village, Papanasam Taluk, Thanjavur District by considering their representation dated 02.01.2021 and for other such reliefs within the period stipulated by this Court.

For Petitioners :Mr.A.Haja Mohideen
For Respondents :Mr.R.Ragavendran
Government Advocate

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the first respondent to grant patta to the petitioners for the subject property by considering the representation made by the petitioners on 02.01.2021.



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2.The case of the petitioners is that they are cultivating the lands and in possession and enjoyment and they have also put up small houses in those lands. According to the petitioners, assignment of lands was done in favour of the beneficiary, who was entitled for the same. The assignee had entered into an agreement with the petitioners and had promised to execute the sale deed in favour of the petitioners, after getting their names mutated in the revenue records. Believing the same, the petitioners have taken over the property and are in possession and enjoyment of the same for a long period of time. The petitioners gave various representations seeking for grant of patta in their names. However, the same was not considered and hence, the present Writ Petition has been filed before this Court.

3.When the matter was taken up for hearing, the learned Government Advocate appearing on behalf of the respondents, based on the written instructions received from the fifth respondent, submitted that the subject lands have already been assigned in favour of some other persons and they are in possession and enjoyment of the same. On conducting spot inspection, the following particulars have been furnished



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by the Tahsildar:

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வ.எண்.	பட்டா எண்	புல எண்	பரப்பு	பட்டாதாரர் பெயர்
1.	3508	296/2	0.40.5	சிதம்பரம் மனைவி பிரமிளா
2.	3550	296/3	0.40.5	துரைசாமி மகன் அங்கமுத்து-1 துரைசாமி மகள் சாந்தி-2 ராஜேந்திரன் மனைவி சாரதம்பாள்-3 ராஜேந்திரன் மகன் மணிமாறன்-4 ராஜேந்திரன் மகன் சுகமாறன்-5
3.	995	296/4	0.40.5	பாலையன் மகன் சங்கர்-1 பெருமாள் மகன் வெங்கடேசன்-2
4.	3836	296/5	0.12.0	சாமி அய்யா மகன் சந்திரசேகரன்-1 திருஞானசம்மந்தமூர்த்தி மகன் ஞானசேகரன்-2
5.	946	296/6	0.09.5	மதி மனைவி தனலெட்சுமி

4.In the light of the above developments, the relief sought for by the petitioners cannot be granted by this Court. Hence, this writ Petition is dismissed. No costs.

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

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N.ANAND VENKATESH, J.

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