



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2016

CORAM:

THE HONOURABLE Mr.JUSTICE V.BHARATHIDASAN

W.P.(MD)Nos16430 of 2013 and 3710 of 2012

and

M.P.(MD)Nos.1, 2 of 2013, 3& 4 of 2012

W.P.(MD)No.3710 of 2012:

1.Velayudham

2.Karuppana Vallambar

... Petitioners

Vs.

1.The State of Tamil Nadu,
Rep.by the Deputy Secretary of Revenue Department,
Saint George Fort,
Chennai.

2.The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

3.The District Revenue Officer,
Tiruchirappalli District,
Tiruchirappalli.

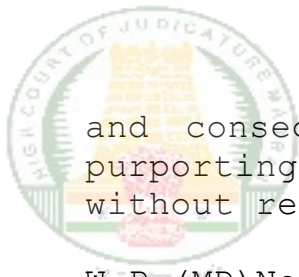
4.The Revenue Divisional Officer,
Tiruchirappalli District,
Tiruchirappalli.

5.The Tahsildar,
Tiruvarampur Taluk,
Tiruchirappalli District.

6.The Principal,
Police Recruit School TSP IBN,
Trichy - 12

... Respondents

Prayer: The petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned G.O.(Standing) No.389 dated 27.12.2011 issued by the 1st respondent and consequential order of the 5th respondent dated 20.01.2012 purporting to transfer land to the 6th respondent and quash the same and also forbear the respondents and their men, officials, servants and persons claiming under them from interfering with the peaceful possession and enjoyment of the petitioners by altering the physical features of the property bearing old S.No.310 in Navalpattu Village, Trichy District on the basis of the impugned G.O.(Standing) No.389, dated 27.12.2011 issued by the 1st respondent



and consequential order of the 5th respondent dated 20.01.2012 purporting to transfer land to the 6th respondent for acquisitions without resorting to due process of law.

W.P. (MD) No. 16430 of 2013:

Mahalakshmi

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by the Deputy Secretary of Revenue Department,
Saint George Fort,
Chennai.

2. The District Collector,
Tiruchirappalli District,
Tiruchirappalli.

3. The District Revenue Officer,
Tiruchirappalli District,
Tiruchirappalli.

4. The Revenue Divisional Officer,
Tiruchirappalli District,
Tiruchirappalli.

5. The Tahsildar,
Tiruvarampur Taluk,
Tiruchirappalli District.

6. The Principal,
Police Recruit School TSP IBN,
Trichy - 12.

... Respondents

Prayer: The petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned G.O. (Standing) No. 389 dated 27.12.2011 issued by the 1st respondent and consequential order of the 5th respondent dated 20.01.2012 purporting to transfer land to 6th respondent and quash the same and also forbear the 6th respondent and their men, officials, servants and persons claiming under them from interfering with the peaceful possession and enjoyment of the petitioner by altering the physical features of the property bearing re-survey No. 310/6 of an extent of 13 acre resurvey No. 310/7 of an extent of 11.34 cents and resurvey No. 310/1 of an extent of 13 acre 16 cent together measuring 37 acres 50 cents in old block corresponding to old S.No. 79 now assigned new sub division no. 310/26 part in

<https://hdservices.hds.madras.gov.in/Hdservices> ~~Madras High Court~~ Trichy District, on the basis of impugned G.O. (Standing) No. 389 dated 27.12.2011 issued by the 1st respondent and consequential order of the 5th respondent dated 20.01.2012



purporting to transfer the land to the 6th respondent for acquisitions without resorting to due process of law.

For Petitioners : Mr.R.Sundar Srinivasan
For Respondents : Mr.V.Muruganandam, AGP

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COMMON ORDER

Challenging the order passed by the 1st respondent dated 27.12.2011 transferring certain extent of land in Navalpattu Village, Thiruvananthapuram Taluk, Trichirapalli District, in favour of the 6th respondent to establish Police Training School, the present Writ petitions have been filed.

2. According to the petitioners, the land in dispute has been classified as innam lands and the same have been acquired by the Government under Act 26 of 1948. Since the original innamdars did not maintain any systematic accounts in respect of the land in question, no patta has been granted.

3. In the above circumstances, the Board of Revenue formulated a guideline for identifying eligible persons for granting patta by the proceedings dated 11.08.1970. According to the petitioners, a suit in O.S.No.14 of 1950 has been filed before the Sub Court, Tiruchirapalli seeking declaration regarding ownership and recovery of possession and also for getting compensation amount and they are coming within the parameters of the order passed by the Board of Revenue. Without considering the claim of the petitioners, now the respondents treating the land of the petitioners as Government land, transferred the same in favour of the 6th respondent. According to the petitioners, already they have made an application for grant of patta before the respondents. Since no order has been passed, they filed a Writ petition in W.P.(MD)No.5458 of 2010 and this Court by order dated 21.04.2010 directed the authorities to consider the petitioners' representation within a period of 12 weeks. In the event of the authorities passing an order for granting patta, the petitioners are entitled to get compensation for the their land. Since no order has been passed, the petitioners have filed the present Writ petitions.

4. Admittedly, as on today the petitioners have not granted any patta for the property in question. In the above circumstances, the petitioners have no locus standi to challenge the order passed by the 1st respondent.

5. Accordingly, these Writ petitions are dismissed. No costs. Consequently, connected M.Ps. are closed.



/True Copy/

Sub Assistant Registrar

To

1.The Deputy Secretary,
State of Tamil Nadu,
Saint George Fort,
Chennai.

2.The District Collector,
Tiruchirappalli District.

3.The District Revenue Officer,
Tiruchirappalli District.

4.The Revenue Divisional Officer,
Tiruchirappalli District.

5.The Tahsildar,
Tiruvarampur Taluk,
Tiruchirappalli District.

6.The Principal,
Police Recruit School TSP IBN,
Trichy - 12.

+2cc to Mr.R.Sundar Srinivasan Advocate in Sr.No.65211,65212.

+1cc to Special Government Pleader in SR. No.65293

NBJ

JS/JM/05.02.2017/4P-10C

2012

W.P. (MD) Nos16430/2013 and 3710 of

02.11.2016