

In the High Court of Judicature at Madras

Dated : 03.12.2019

Coram :

The Honourable Mr.Justice T.S.SIVAGNANAM

Writ Petition Nos.33647 to 33649, 33651 to 33655 & 33658 to
33660 of 2019

A.Munusamy	...Petitioner in WP.33647/2019
V.Shanthi	...Petitioner in WP.33648/2019
M.Bharathi	...Petitioner in WP.33649/2019
V.Mohanraj	...Petitioner in WP.33651/2019
P.Sivakumar	...Petitioner in WP.33652/2019
E.Damodaran	...Petitioner in WP.33653/2019
E.Pachaiyappan	...Petitioner in WP.33654/2019
R.Muraliswaran	...Petitioner in WP.33655/2019
M.Raji	...Petitioner in WP.33658/2019
M.Saraswathi	...Petitioner in WP.33659/2019
M.Sundari	...Petitioner in WP.33660/2019

Vs

1.The District Collector, Collectorate,
Venkikkal Tiruvannamalai District.

2.The Tahsildar, Chengam Taluk,
Tiruvannamalai District.

...Respondents
in all the Wps

PETITIONS under Article 226 of The Constitution of India praying for the issuance of Writs of Mandamus directing the respondents to issue patta to the petitioners with respect to the un-assessed government punjai land comprised in Survey No.6 to an extent of 1.5 acres, 2 acres, 2 acres, 2 acres, 2 acres, 2 acres, 2 acres, 2 acres, 2 acres and 2 acres situated at Periya Kollapaadi Village, Chengam Taluk, Tiruvannamalai District.

For Petitioners : Mr.M.Sridhar

For Respondents : Mr.M.Tamilarasan, GA

COMMON ORDER

Mr.M.Tamilarasan, learned Government Advocate accepts notice for the respondents. Heard both.

2. In these writ petitions, the petitioners claim to be landless poor and they and their family members are stated to have been cultivating short term crops in Government lands in S.F.No.6, situated at Periya Kollapaadi Village, Chengam Taluk, Tiruvannamalai District. The petitioners submitted their representations to the authorities concerned to grant patta in respect of the said lands so as to enable them to carry on agricultural activities.

3. Mr.M.Sridhar, learned counsel for the petitioners has drawn the attention of this Court to a communication from the District Collector, Tiruvannamalai to the Tahsildar, Chengam dated 11.11.2019, in and by which, the representations given by 11 persons have been forwarded to the Tahsildar for consideration. Therefore, the learned counsel for the petitioners submits that the representations given by the petitioners may be directed to be considered by the second respondent for grant of patta in their favour.

4. The learned Government Advocate, who has accepted notice for the respondents, has produced before this Court a copy of the communication by the District Collector, Tiruvannamalai dated 04.4.2018, by which, it is seen that the lands in question along with other adjacent lands measuring a total extent of 23.14.0 hectares have been handed over to the Small Industries Development Corporation (SIDCO) for a project to be developed by the SIDCO and a Government Order in G.O.Ms.No.417 Revenue & Disaster Management Department dated 15.12.2017 had already been issued. The lands had already been transferred in favour of the SIDCO.

5. In such circumstances, the question of issuing a direction as prayed for by the petitioners to grant patta in their favour cannot be acceded. Even assuming that the lands are lying un-used, the lands being classified as Government poramboke lands, no person has got a vested right to claim that patta should be granted in their favour. There are other schemes where the Government allotted lands to the landless poor and if the petitioners are eligible, then they should approach the appropriate authorities under such schemes and the prayer sought for in these writ petitions cannot be granted.

6. For the above reasons, the above writ petitions are dismissed. No costs.

s/d-

Assistant Registrar(CS VI)

True Copy

Sub-Assistant Registrar

To

1.The District Collector, Collectorate, Venkikkal Tiruvannamalai District.

2.The Tahsildar, Chengam Taluk, Tiruvannamalai District.

+3 CCS to Mr.M.Sridhar, Advocate sr 100561.

W.P.No.33647 to 33649, 33651 to 33655 &
33658 to 33660 of 2019
etc. cases

PVS (CO)
SP(27/12/2019)

सत्यमेव जयते

WEB COPY