



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.02.2020

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P. (MD) No.2590 of 2020

A.Joseph Stanley Raja

... Petitioner

vs.

1.The State of Tamil Nadu,
represented by its Principal Secretary,
Revenue Department,
Namakkal Kavingnar Maaligai,
Fort St.George, Chennai - 600 009.

2.The Dindigul District Collector,
Thiyahi Subramania Siva Maalihai,
Velu Nachiyar Valaham,
Chettinayakkanpatti Post,
Dindigul District - 624 004.

3.The Tahsildar,
Taluk Office,
Dindigul East Taluk,
Begambur, Dindigul - 624 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to allot the land measuring 4.5 acres of dry land in S.Nos.809/1, 809/2 and 809/6 located at Kuvanoodu Village, Dindigul East Taluk, Dindigul District on the basis of the G.O.Ms.No.275, dated 02.04.1999 and G.O.Ms.1750, dated 13.05.1963 issued by the first respondent on compassionate ground by considering the petitioner's representation, dated 19.03.2019 in accordance with law within the time stipulated by this Court.

For Petitioner	: Mr.R.Alagumani
For R1 to R3	: Mr.C.Ramar
	Additional Government Pleader

O R D E R

This Writ Petition is filed for a direction to the first respondent to allot the land measuring an extent of 4.5 acres of dry land in S.Nos.809/1, 809/2 and 809/6 located at Kuvanoodu Village, Dindigul East Taluk, Dindigul District, on compassionate basis of the Government Orders by considering the



petitioner's representation, dated 19.03.2019 in accordance with law within the time stipulated by this Court.

2.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

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3.Merely because, the petitioner's father was an ex-service man, the petitioner does get any right to get assignment in favour of any specific land or extent in a particular village. The Government Order though enables the Government to give assignment in favour of individual based on merits, it cannot be expected from the Government to assign the land to everyone, who has come forward with such request. In such circumstances, this Court cannot issue any positive direction in favour of the petitioner. However, the petitioner's representation is pending before the District Collector. Hence, without going into the merits of the petitioner's representation, this Court is inclined to issue the following directions:

4.The District Collector is directed to consider the representation of the petitioner, dated 19.03.2019 either by himself or by forwarding the representation either to the Tahsildar or Revenue Divisional Officer and to pass appropriate orders on merits and in accordance with law within a period of six months from the date of receipt of a copy of this order. The eligibility and entitlements of the petitioner or anyone has to be considered strictly as per law in adherence to the procedure and in no case, there can be any division, as there cannot be any discrimination in the matter assignment, so as to benefit any particular individual.

5.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cmr

To

1.The Principal Secretary,
The State of Tamil Nadu,
Revenue Department,
Namakkal Kavingnar Maaligai,
Fort St.George, Chennai - 600 009.



2.The Dindigul District Collector,
Thiyahi Subramania Siva Maalilai,
Velu Nachiyar Valaham,
Chettinayakkanpatti Post,
Dindigul District - 624 004.

3.The Tahsildar,
Taluk Office,
Dindigul East Taluk,
Begambur, Dindigul - 624 001.

+1 CC to M/s.R.ALAGUMANI, Advocate (SR-5739[F] dated 11/02/2020)

+1 CC to M/s.SPL.GP (SR-5835[F] dated 12/02/2020)

W.P. (MD) No.2590 of 2020
11.02.2020

SCR(CO)
TR(20.02.2020) 3P 6C