



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.12.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.10555 of 2021

Nagamma

....Petitioner

Vs

1. The District Collector,
Krishnagiri District.

2. The Sub-Collector,
Hosur,
Krishnagiri.

3. The Tahsildar,
Hosur Taluk,
Krishnagiri District.

....Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 04.01.2021 and lift the ban if any to issue assignment patta to the petitioner in respect of the land measuring an extent of 1.00.0 hector comprised in survey No.733/A, Onnalvadi Village, Hosur Taluk, Krishnagiri District.

For Petitioner : Mr.M.Muthappan

For Respondents : Mr.P.Baladhandayutham
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 04.01.2021 and lift the ban if any to issue assignment patta to the petitioner in respect of the land measuring an extent of 1.00.0 hector comprised in survey No.733/A, Onnalvadi Village, Hosur Taluk, Krishnagiri District.



2. Heard, Mr.M.Muthappan, learned counsel appearing for the petitioner and Mr.P.Baladhandayutham, learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that the petitioner submitted an application for assignment of patta in respect of the land comprised in survey No.733/A admeasuring to an extent of 1.00.0 hectare situated at Onnaivadi Village, Hosur Taluk, Krishnagiri District. The said application was rejected on the ground that the subject land cannot be assigned for the reason that the Government has already banned assignment of Government lands and lease of lands to private persons in G.O.Ms.No.122, Revenue Department, dated 21.02.2006. It is the policy decision of the Government. The said ban order was issued based on the recommendation of the Collector of the District and the Commissioner of Land Administration, Chennai. It further reveals that as per the G.O.Ms,No.122, Revenue Department, dated 21.02.2006, the Hosur and Denkanikottalu Taluks are Hill areas and for the past 32 years, the Government has granted concessions in these taluks as Hill area. Therefore, there is a ban for assignment and even for leasing out in the subject land.

4. Considering the above, the representation of the petitioner dated 04.01.2021 has been examined, after giving an opportunity of hearing to the petitioner and rejected the same by an order dated 09.07.2021 in Na.Ka.No.1886/2021/A2. Therefore, the prayer sought for in this writ petition is dismissed as infructuous. However, the third respondent is directed to furnish a copy of the same to the petitioner within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the petitioner is at liberty to challenge the same in the manner known to law, if so advised. No costs.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

Lpp



To

1. The District Collector,
Krishnagiri District.

2. The Sub-Collector,
Hosur,
Krishnagiri.

3. The Tahsildar,
Hosur Taluk,
Krishnagiri District.

+1 CC to Mr.M.Muthappan, Advocate sr 64299

+1 CC to The Government Pleader sr 65292.

W.P.No.10555 of 2021

NR(CO)
SP(25/01/2022)