

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.04.2021

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR

Writ Petition Nos. 14722 to 14724 of 2018

Mr.Siva Reddy ... Petitioner in W.P.No.14722 of 2018
Mrs. Krishnaveni ... Petitioner in W.P.No.14723 of 2018
S.Venkatesan ... Petitioner in W.P.No.14724 of 2018

-Vs-

1.The District Collector,
Thiruvallur District,
Thiruvallur - 602 001.

2. The Tahsildar,
Ponneri Taluk,
Thiruvallur District,
Pin - 601 204.

.... Respondents in all W.Ps

Common Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 20.12.2017 and to pass appropriate order on it in accordance with law within stipulated period as fixed by this Hon'ble Court.

For Petitioner : Mr.I.Rathinavel (in all W.Ps)

For Respondents: Mr.N. Inbanathan,
Additional Government Pleader
(in all W.Ps)

C O M M O N O R D E R

In all these writ petitions, since the issue raised is one and the same, all these writ petitions are heard together and disposed of by this common order.

2. The grievance of the petitioners, who have filed these cases is that, they are landless poor and therefore in that regard, they wanted assignment of piece of land as quoted in their representations dated 20.12.2017 submitted individually by each of the petitioners to the Tahsildar concerned, who is the second respondent in all these writ petitions.

3. However, since the said representations have not been considered and no assignment has been given, they have

approached this Court by filing these writ petitions with the aforesaid prayer.

4. Heard Mr.T.P.Sekar, learned counsel for the petitioners who would submit that, if the request of the petitioners individually submitted to the Tahsildar is directed to be considered within a time frame, the petitioners would be satisfied.

5. Heard Mr.N.Inbanathan, learned Additional Government Pleader appearing for the respondents, who would submit that, seeking assignment of Government Poramboke land is not a matter of right. Therefore, they cannot seek for a mandamus to issue direction to the Revenue Department to issue patta or assign Government Poramboke land to the individuals and it depends upon the eligibility of the poor persons or landless persons based on the Government Orders issued from time to time and the Schemes framed in this regard, such kind of entitlement shall be considered by the Revenue Department and therefore assignment of land cannot be claimed as a matter of right.

6. I have considered the submissions made by the learned counsel for both sides and have perused the materials placed on record.

7. As has been rightly pointed out by the learned Additional Government Pleader, seeking assignment of Government land even under the landless poor category is not a matter of right. Since it is a welfare scheme being envisaged and implemented by the State Government for the landless people who are deserving persons, the eligibility of the persons has to be ascertained by the Revenue Department by applying various criteria laid down by various Government Orders and accordingly suitable decision would be taken in each case under the Scheme made in this regard.

8. In that view of the matter this Court is of the view that, if at all the petitioners are found eligible to be considered under the landless poor category after proper enquiry, they can be considered and in this regard, the representations submitted by each of the petitioners can be considered on merits and in accordance with law and decided by the respondents within a time frame.

9. Accordingly, these writ petitions are disposed of with the following order. That the respondents especially the second respondent is hereby directed to consider the representations dated 20.12.2017 submitted individually by each of the petitioners on merits and in accordance with law and pass appropriate orders within a period of three months from the date of receipt of a copy of this order.

10. With these directions, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

KST

To

1.The District Collector,
Thiruvallur District,
Thiruvallur - 602 001.

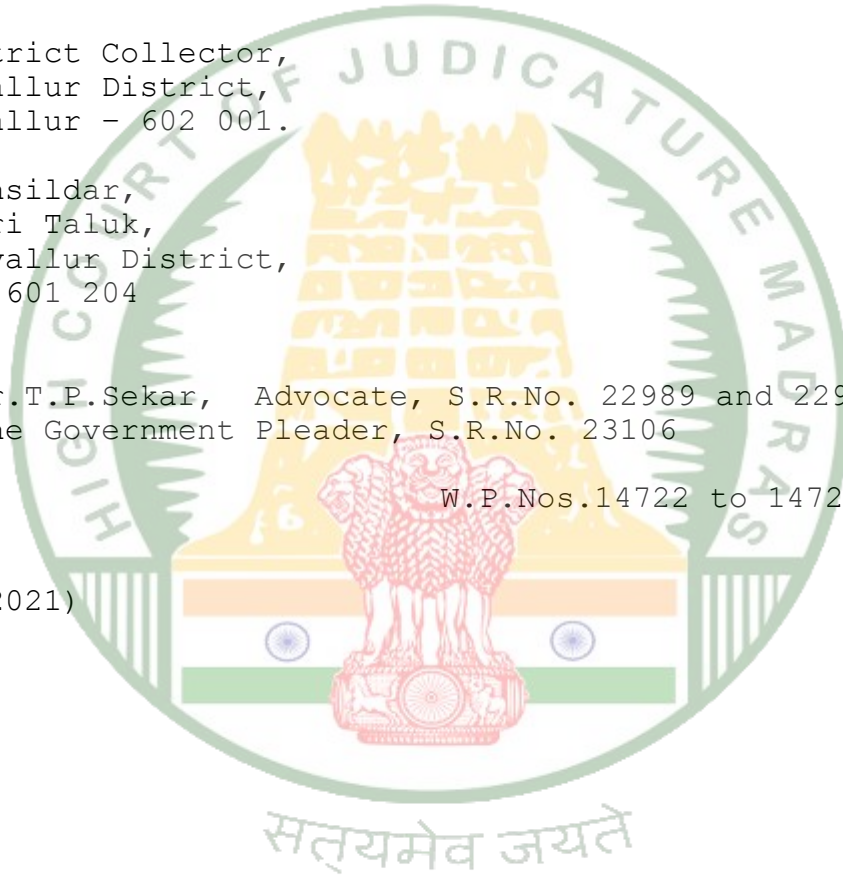
2. The Tahsildar,
Ponneri Taluk,
Thiruvallur District,
Pin - 601 204

+2cc to Mr.T.P.Sekar, Advocate, S.R.No. 22989 and 22987

+1cc to the Government Pleader, S.R.No. 23106

W.P.Nos.14722 to 14724 of 2018

PL(CO)
GN(28/06/2021)



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