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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2021

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.17284 of 2021

K.Peer Mohammed

... Petitioner

-Vs-

1. The District Collector,
Coimbatore District,
Coimbatore.

2. The Sub-Collector,
Pollachi,
Coimbatore 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 petitioner's representation dated 01.05.2021 seeking for grant of Ayan / F patta in favour of the petitioner in respect of land having an extent of 1.99 acres in S.No.566/43, situated at Puravipalayam Village, Pollachi Taluk, Coimbatore District on the basis of proceedings of second respondent made in Na.Ka.No.901/2016/A2, dated 26.02.2018.

For Petitioner : Mr.A.P.Sathyamoorthy

For Respondents : Mr.Yogesh Kannadasan
Government Advocate.

ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 01.05.2021 seeking for grant of Ayan / F patta in favour of the petitioner in respect of land having an extent of 1.99 acres in S.No.566/43, situated at Puravipalayam Village, Pollachi Taluk, Coimbatore District on the basis of proceedings of second respondent made in Na.Ka.No.901/2016/A2, dated 26.02.2018.



3. The petitioner sought for grant of Ayan / F patta in respect of the land comprised in Survey No.566/43 to an extent of 1.99 acres, situated at Puravipalayam Village, Pollachi Taluk, Coimbatore District on the basis of the proceedings of the second respondent, dated 26.02.2018. The petitioner was issued Form F by the second respondent by the proceedings, dated 26.02.2018 in Na.Ka.No.901/2016/A2 on payment of necessary land value. Accordingly, the petitioner approached the office of the second respondent for making payment of Rs.2761/- (Rupees Two Thousand Seven hundred and Sixty One only) towards the land value for the land allotted to him having an extent of 1.99 acres and expressed his readiness to obtain F-patta.

5. The second respondent filed a counter and revealed that the petitioner was issued assignment patta in Form F to an extent of 1.99 acres with sub division No.566/43 by the proceedings No.901/2016/B2, dated 28.09.2017. The F-patta has been granted under Rule 8(6) of the Tamil Nadu Land Reforms (Disposal and Surplus Land) Rules, 1965 with certain conditions. In condition No.6, it has been mentioned that the land assigned shall not be sold or otherwise alienated before the expiry of a period of 20 years from the date of the assignment. If the F-patta is changed into Ayan Patta, as requested by the petitioner, the classification and status of the land will have to be changed by following different proceedings and village accounts have to be corrected. Therefore, the said process cannot be exercised for a period of 20 years from the date of assignment. According to the second respondent, the Form F is construed as F-patta, prescribed under the Act.

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7. With the above direction, this writ petition is disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Coimbatore District,
Coimbatore.
2. The Sub-Collector,
Pollachi,
Coimbatore District.

+1CC to Mr.A.P.Sathyamoorthy, Advocate, Sr.No.58139
+1CC to Mr.Government Pleader, Sr.No.58183

W.P.No.17284 of 2021

RSV (CO)
K.RK. (29.11.2021)