

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM :

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MS. JUSTICE R.N.MANJULA

W.A.No.2578 of 2018

G.Arumugam

..Appellant

Vs

- 1.The Government of Tamil Nadu
Rep. by its Secretary,
Department of Revenue,
Fort St.George, Chennai - 09.
- 2.The Special Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai - 600 005.
- 3.The District Collector,
Kancheepuram District,
Kancheepuram.
- 4.The Revenue Divisional Officer,
O/o.Sub Collector,
Chengalpattu,
Kancheepuram District.
- 5.The Tahsildar,
Thiruporur Taluk,
Thiruporur,
Kancheepuram District.

..Respondents

Prayer: Appeal filed under 15 of Letters Patent against the order dated 19.09.2018 made in W.P.No.365 of 2018.

Prayer in W.P.No.365 of 2018 : To call for the records of the fourth respondent and quash the order passed by him in Na.Ka. No.1097/ 2017/ AA dated 20.09.2017 and directing the respondents to assign and to issue patta in the name of the petitioner for the land enjoyed by him in S. No.406 of 26 Kolathur Village Thiruporur Taluk Kancheepuram District to an extent of 3 acres 331/2 cents in accordance with G.O.Ms. No.1750/ Rev/ dated 13.05.1963 or any other G.O. is in force and in accordance with RSO-15 clause - 24 which facilitates assignment of lands to ex-servicemen with free of cost.

For Appellant : Mr.M.Jayapal Rajan

For Respondents : Mr.V.Kadhirvelu,
Special Government Pleader

JUDGMENT
(Delivered by M.M.SUNDRESH, J.)

This appeal has been preferred against the order of the learned Single Judge, who, while upholding the order impugned, was pleased to observe that the appellant does not have a legal right especially over a land which belongs to the Central Government and in view of the prevailing ban.

2. Learned counsel appearing for the appellant submitted that if the said land is not available, the other land could have been considered.

3. We do not find any merit in the appeal filed. In view of the categorical finding with regard to the classification of the land as one belonging to the Central Government and the existence of the ban, the appellant does not have a vested right to claim the particular land. However, the disposal of the appeal will not stand in the way of the appellant, being an ex-serviceman, to seek assignment of another land, if law so provides.

4. The writ appeal stands disposed of accordingly. No costs. Consequently, connected C.M.P.No.20979 of 2018 is closed.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

ssm

To

1.The Secretary
Government of Tamil Nadu
Department of Revenue,
Fort St.George, Chennai - 09.

2.The Special Commissioner and
Commissioner of Land Administration,
Chepauk, Chennai - 600 005.

3.The District Collector,
Kancheepuram District,
Kancheepuram.

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5.The Tahsildar,
Thiruporur Taluk,
Thiruporur,
Kancheepuram District.

W.A.No.2578 of 2018

PP (CO)
GMY (29/06/2021)



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