



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

and

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A.[MD]Nos.1145 to 1151 of 2020

and

All connected miscellaneous petitions

1.The District Collector,
Thiruchirappalli.

2.The Revenue Divisional Officer,
Thiruchirappalli District.

3.The Tahsildhar,
Tiruverambur Taluk,
Thiruchirappalli District.

: Appellants in all cases
(W.A.[MD]Nos.1145 to 1151 of 2020)

Vs.

1. K.Ranjitham W/o.Karuppiyah,No.Ha 282, Tamilnadu Housing Board Colony, Anna Nagar, Tiruchirappalli.
2. K.Sundarasamy, S/o.Karuppiyah,No.Ha 282, Tamilnadu Housing Board Colony, Anna Nagar, Tiruchirappalli.
3. K.Thiyagarajan, S/o.Karuppiyah,No.Ha 282, Tamilnadu Housing Board Colony, Anna Nagar, Tiruchirappalli.
4. K.Soundarajan, S/o.Karuppiyah,No.Ha 282, Tamilnadu Housing Board Colony, Anna Nagar, Tiruchirappalli.
5. R.Tamilselvi, W/o.Raj Alexander,D/o.Karuppiyah,No.Ha 282, Tamilnadu Housing Board Colony, Anna Nagar, Tiruchirappalli.

... Respondents in WA(MD). 1145 of 2020

1. C.Veera Kumar, S/o.Chelliah,Kuraiyan Village, Kakkoor Post, Muthukulathoor Taluk, Ramanathapuram District.
2. C.Rajkumar, S/o.Chelliah,Kuraiyan Village, Kakkoor Post, Muthukulathoor Taluk, Ramanathapuram District.
3. C.Agora Devi, S/o.Chelliah,Kuraiyan Village, Kakkoor Post, Muthukulathoor Taluk, Ramanathapuram District.
4. C.Tharma Devi, S/o.Chelliah,Kuraiyan Village, Kakkoor Post, Muthukulathoor Taluk, Ramanathapuram District.

... Respondents in WA(MD). 1146 of 2020

1. C.Parveen Kumar, S/o.Veerachamy,No.2/238, Kalaaignar Colony, Keela Kalkondarkottai, Tiruchirappalli.
2. P.Sharmila, W/o.Pari,No.2/238, Kalaaignar Colony, Keela Kalkondarkottai, Tiruchirappalli.



3. S.Nithya, W/o.Sreedhar, No.2/238, Kalaignar Colony, Keela Kalkondarkottai, Tiruchirappalli.

... Respondents in WA(MD). 1147 of 2020

A.Selvaraj, S/o.Andi, Door No.678, Twentieth Street, Bakthavathsalam Colony, Vyasarpadi, Chennai.

... Respondent in WA(MD). 1148 of 2020

M.Natarajan, S/o.Madurai Veeran, Door No.E 3/443f, Kailsapuram, Thiruchirappalli-14.

... Respondent in WA(MD). 1149 of 2020

S.Selvam, W/o.Samuel, Second Street, Kaveri Nagar, Navalpattu, Thiruchirappalli-26

... Respondent in WA(MD). 1150 of 2020

A.Pappathi, W/o.Alagiri, Door No. 5/71, Bharathidasan Street, Thuvakudi, Thiruchirappalli-25.

... Respondent in WA(MD). 1151 of 2020

Prayer in WA(MD). 1145 of 2020 :

Writ Appeal filed under clause 15 of letters patent Act, praying to set aside the order dated 15-12-2014 made in W.P(MD). No.5443 of 2012 on the file of this Hon'ble High Court,

Prayer in WA(MD). 1146 of 2020 :

Writ Appeal filed under clause 15 of letters patent Act, praying to set aside the order dated 15-12-2014 made in W.P(MD). No.5444 of 2012 on the file of this Hon'ble High Court,

Prayer in WA(MD). 1147 of 2020 :

Writ Appeal filed under clause 15 of letters patent Act, praying to set aside the order dated 15-12-2014 made in W.P(MD). No.5445 of 2012 on the file of this Hon'ble High Court,

Prayer in WA(MD). 1148 of 2020 :

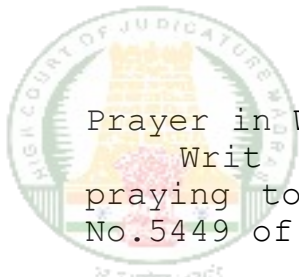
Writ Appeal filed under clause 15 of letters patent Act, praying to set aside the order dated 15-12-2014 made in W.P(MD). No.5446 of 2012 on the file of this Hon'ble High Court,

Prayer in WA(MD). 1149 of 2020 :

Writ Appeal filed under clause 15 of letters patent Act, praying to set aside the order dated 15-12-2014 made in W.P(MD). No.5447 of 2012 on the file of this Hon'ble High Court,

Prayer in WA(MD). 1150 of 2020 :

Writ Appeal filed under clause 15 of letters patent Act, praying to set aside the order dated 15-12-2014 made in W.P(MD). No.5448 of 2012 on the file of this Hon'ble High Court,



Prayer in WA(MD). 1151 of 2020 :

Writ Appeal filed under clause 15 of letters patent Act, praying to set aside the order dated 15-12-2014 made in W.P(MD). No.5449 of 2012 on the file of this Hon'ble High Court,

Prayer in WP(MD). 5443 of 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS, directing the third Respondent to issue Patta in the joint names of the petitioners for the land measuring 5 acres in Survey Number 310/1, Navalpattu Village, Thiruverumbur Taluk, Tiruchirappalli District assigned to the deceased Karuppiah.

Prayer in WP(MD). 5444 of 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS, directing the third Respondent to issue Patta in the joint names of the petitioners for the land measuring 5 acres in Survey Number 310/1, Navalpattu Village, Thiruverumbur Taluk, Tiruchirappalli District assigned to the deceased Chelliah.

Prayer in WP(MD). 5445 of 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS, directing the third Respondent to issue Patta in the joint names of the petitioners for the land measuring 5 acres in Survey Number 310/1, Navalpattu Village, Thiruverumbur Taluk, Tiruchirappalli District assigned to the deceased Veerachamy.

Prayer in WP(MD). 5446 of 2012 :

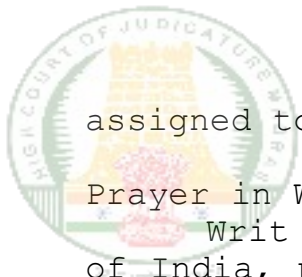
Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS, directing the third Respondent to issue Patta in the joint names of the petitioners for the land measuring 5 acres in Survey Number 310/1, Navalpattu Village, Thiruverumbur Taluk, Tiruchirappalli District assigned to the Petitioner.

Prayer in WP(MD). 5447 of 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS, directing the third Respondent to issue Patta in the joint names of the petitioners for the land measuring 5 acres in Survey Number 310/1, Navalpattu Village, Thiruverumbur Taluk, Tiruchirappalli District assigned to the Petitioner.

Prayer in WP(MD). 5448 of 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS, directing the third Respondent to issue Patta in the joint names of the petitioners for the land measuring 5 acres in Survey Number 310/1, Navalpattu Village, Thiruverumbur Taluk, Tiruchirappalli District



assigned to the Petitioner.

Prayer in WP(MD). 5449 of 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a WRIT OF MANDAMUS, directing the third Respondent to issue Patta in the joint names of the petitioners for the land measuring 5 acres in Survey Number 310/1, Navalpattu Village, Thiruverumbur Taluk, Tiruchirappalli District assigned to the petitioner.

For Appellants : Mr.A.K.Manickkam
Standing Counsel for Government
(in all Cases)

For Respondents : Mr.A.Haja Mohideen
(in all Cases)

COMMON JUDGMENT

[Common Judgment of the Court was delivered by **T.S.SIVAGNANAM, J.**]

With the consent on either side, these Writ Appeals are taken up for disposal.

2.Heard Mr.A.K.Manickkam, learned Standing Counsel for Government appearing for the appellants and Mr.A.Haja Mohideen, learned Counsel appearing for the respondents.

3.These appeals by the District Collector, Thiruchirappalli and two others are directed against the common order dated 15.12.2014 passed in W.P.[MD]Nos.5443 to 5449 of 2012.

4.The Writ petitioners sought for a direction upon the respondents to grant patta on the strength of an assignment said to have been issued in their favour in the year 1997. The appellants have stated that the assignment itself is not a valid document. Further more, the lands have been allotted to various Government departments, the details of which are as follows:

Sl.No.	Survey No.	Extent in Hectares	Ramarks
1.	31010, 11, 12, 13, 14 & 17	59.76.5	Possession and enjoyment by ELCOT
2.	310/26	20.23.5	Police Training School, Trichy
3.	310/19	18.90.0	Government un-assessed Tharisu (Kalar Boomi)
4.	310/25	9.26.5	Government un-assessed Tharisu (Kalar Boomi)



5.Further, Survey No.310/1 of Navalpattu village has been entered in the Prohibitory Order Book and there are entries in the same by the District Collector, Thiruchirappalli by proceedings in Pa.Mu.No.130979/75 dated 31.10.1995. The lands comprised in composite Survey No.310/1 of Navalpattu village classified as Un-assessed Punjai Tharisu, admeasuring an extent of 54.67.5 Ares were allotted to ELCOT for formation of "Information Technology Park".

6.In the light of the above, the direction issued for grant of patta is erroneous. Accordingly, the Writ Appeals are allowed. If according to the respondents / writ petitioners, the assignment orders are a valid document, it is open to them to establish the same before the appropriate forum and the Writ Court cannot examine the said issue and issuance of a positive direction for grant of patta is wholly erroneous. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

MR

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The District Collector, Thiruchirappalli.

2.The Revenue Divisional Officer,
Thiruchirappalli District.

3.The Tahsildhar, Tiruverambur Taluk,
Thiruchirappalli District.

+1 CC to M/s.SPL GP (SR-24204[F] dated 28/07/2021)

COMMON JUDGMENT MADE IN
W.A. [MD]Nos.1145 to 1151 of 2020
26.07.2021

SSS(CO)

TR(04.08.2021) 5P 5C