



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 11.01.2022

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM
and
THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

W.P. No.372 of 2022
and WMP.No.428 of 2022

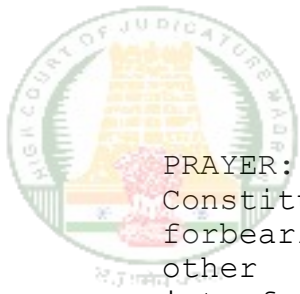
G.Devendran

.. Petitioner

Versus

1. The Government of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Revenue Department,
Fort St. George, Chennai 9.
2. The Additional Secretary/Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai -5.
3. The District Collector,
Chengalpattu District.
4. The District Revenue Officer,
Chengalpattu District.
5. The Revenue Divisional Officer,
Chengalpattu Division,
Chengalpattu District.
6. The Tahsildar,
Thiruporur Taluk,
Chengalpattu District.
7. The Revenue Inspector,
Chinna Vipedu & Periya Vipedu Village,
Thiruporur Taluk,
Chengalpattu District.
8. The Village Administrative Officer,
Periya Vipedu Village,
Thiruporur Taluk,
Chengalpattu District.

.. Respondents



PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Mandamus, forbearing the respondents, their men, agent subordinate or any other person claiming through them from in any manner interfering with the petitioner's peaceful possession and enjoyment in the land in S.No.3/1, admeasuring an extent of Acre 1.26 cents Periya Veppedu Village, Thiruporur Taluk and Chengalpattu District.

For petitioner : Mr.A.Ramalingam

For respondents: Mr.K.V.Sajeev Kumar
(Special Government Pleader)

ORDER

(The Order of the Court was made by K.KALYANASUNDARAM, J)

The Writ Petition is heard through video conferencing.

2. By consent of the parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3. Heard Mr.A.Ramalingam, learned counsel for the petitioner and Mr.K.V.Sajeev Kumar, learned Special Government Pleader appearing for the respondents.

4. The petitioner has filed the Writ Petition for issuance of a Writ of Mandamus, forbearing the respondents, their men and agent from in any manner interfering with the petitioner's peaceful possession and enjoyment in the land in S.No.3/1, measuring an extent of 1.26 acres at Periya Veppedu Village, Thiruporur Taluk and Chengalpattu District.

5. The petitioner would state that he along with is family residing at Periya Veppedu Village and he belongs to Hindu Adi-Dravidar Community. They did not have movable or immovable property except the house property situated in the Village. It is his further case that his grandfather Mr.Thamburan had occupied and enjoyed the lands in Survey No.3/1 to an extent of 1.5 acres till his lifetime and thereafter it was enjoyed by his father and now he is enjoying the property. He also stated that he is paying B memo charges regularly to the authorities.

6. The learned counsel appearing for the petitioner Mr.A.Ramalingam would argue that the petitioner submitted an application for issuance of patta/assignment for the subject land, but it was not considered by the officials and hence, a



Writ Petition in W.P.No.8912 of 2021 was filed seeking direction. Pursuant to the order passed in the Writ Petition, the fifth respondent conducted enquiry, but the application was rejected by him. Challenging the same, the petitioner has preferred an appeal to the respondents 1 to 4 on 22.12.2021. When the appeal is pending, there is a threat of dispossession, hence, the present Writ Petition.

7. The learned Special Government Pleader appearing for the respondents Mr.K.V.Sajeev Kumar would submit that the subject land has been classified as grazing poramboke and hence, the fifth respondent rightly rejected the application of the petitioner. Since the petitioner has no legal right to seek assignment, he is not entitled for the relief sought for in the Writ Petition. It is further submitted that while evicting the petitioner, the officials will follow due process of law.

8. Recording the submissions of the learned Special Government Pleader, the Writ Petition is closed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-CCC)

//True copy//

Sub Assistant Registrar

pvs

To

1. The Principal Secretary to Government,
The Government of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai 9.
2. The Additional Secretary/Commissioner of Land Administration,
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3. The District Collector,
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6. The Tahsildar,
Thiruporur Taluk,
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7. The Revenue Inspector,
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Chengalpattu District.

8. The Village Administrative Officer,
Periya Vipedu Village,
Thiruporur Taluk,
Chengalpattu District.

+1cc to Mr.A.Ramalingam, Advocate SR.No.2129

+1cc to Government Pleader SR.No.3107

W.P. No.372 of 2022

PMK(CO)
GMY(08/02/2022)