



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.7150 of 2018

&

W.M.P.No.8863 of 2018

Ramajayam

...Petitioner

Vs

1. The Collector,  
O/o. The Collectorate,  
Krishnagiri, Krishnagiri District.
2. The District Revenue Officer,  
O/o. The Collectorate,  
Krishnagiri, Krishnagiri District.
3. The Revenue Divisional Officer,  
Krishnagiri, Krishnagiri District.
4. The Tahsildar,  
Uthangarai Taluk,  
Krishnagiri District.

...Respondents

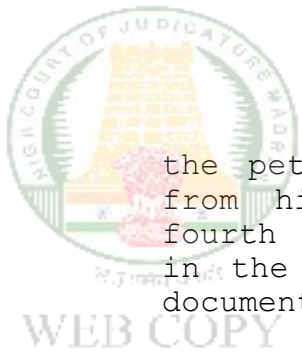
Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the impugned order in Ref.No.Na.No.72/2018/G dated nil-02.2018 signed on 04.02.2018 passed by the 3<sup>rd</sup> respondent and quash the same, as the same is arbitrary, illegal.

For Petitioner : Mr.S.Viswanathan

For Respondents : Mr.V.Jeevagiridharan  
Additional Government Pleader

ORDER

The petitioner cultivated the Government Poramboke land comprised in S.No.60/6, Narasampatti Village, Uthangarai Taluk, Krishnagiri District to an extent of 36 cents of dry land. His parents are resident of Dadanur Village, Gurubaraballi, Pappireddipatti Taluk, Dharmapuri District and having 3.15 acres of dry lands in S.No.30/5B2, even though, they are not allowing



the petitioner to reside there and as such, he got separated from his family. Therefore, the petitioner approached the fourth respondent for assigning of the said land. Accordingly in the year 2007, the petitioner was directed to submit the documents before the fourth respondent.

2. While being so, his uncle, who had land adjacent to the proposed assignment of the land expressed to sell in favour of the third party. However, at request of the petitioner, he has executed a sale deed in his favour on 30.05.2017 vide Doc. No.2015/2017. Thereafter, the petitioner was assigned in respect of the subject land and issuing patta No.328. However, on the Application submitted by one Prabu Doss, the first respondent conducted an enquiry and found that the subject land can be assigned only to landless poor and downtrodden families. Whereas, the petitioner had already purchased land ad measuring 1.42 acres comprised in S.Nos.59/1A2A & 1A2B situated at Narasampatti Village, Uthangarai Taluk, Krishnagiri District by registered sale deed No.328 of 2017 vide Doc. No.2015/2007. Therefore, the petitioner is not entitled for any assigning of land and it is against the Government Orders and Rules as contemplated under Revenue Standing Order under 15(18).

3. Therefore, the first respondent directed the third respondent to follow the procedures as contemplated under Law and pass appropriate orders to cancel the assignment granted in favour of the petitioner. The third respondent without conducting any enquiry and without giving any opportunity to the petitioner, cancelled the assignment granted in favour of the petitioner by the order impugned in this writ petition dated 04.02.2018. Only on this ground, the petitioner succeeds and the impugned order passed by the third respondent is liable to be set aside and the Writ Petition is allowed.

4. The third respondent is therefore directed to issue notice to the petitioner and to the counter parties and after giving sufficient opportunity as per the order passed by the first respondent dated 06.12.2017, pass orders in accordance with law within a period of four (4) weeks from the date of receipt of a copy of this order. No costs. Connected Miscellaneous Petition is also closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar



nst/rkp

To

WEB COPY

1. The Collector,  
O/o. The Collectorate,  
Krishnagiri, Krishnagiri District.
2. The District Revenue Officer,  
O/o. The Collectorate,  
Krishnagiri, Krishnagiri District.
3. The Revenue Divisional Officer,  
Krishnagiri, Krishnagiri District.
4. The Tahsildar,  
Uthangarai Taluk, Krishnagiri District.

+1cc to M/s.Dass and Viswa Associates Sr.1875  
+1cc to the Government Pleader Sr.2705

W.P.No.7150 of 2018  
&W.M.P.No.8863 of 2018

ss[co]  
srg 02/02/2022