



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2022

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.21921 to 21929 of 2015 and 215 of 2021
and

W.M.P.No.12410/2017 in W.P.No.21924/2015

W.P.No.21921 of 2015:

C.Bhaskaran	Petitioner in WP 21921/2015
C.Pattammal	Petitioner in WP 21922/2015
N.Gnanasekar	Petitioner in WP 21923/2015
P.Jeyaraj	Petitioner in WP 21924/2015
B.Sheeba Tamilarasi	Petitioner in WP 21925/2015
E.Thulasingham	Petitioner in WP 21926/2015
G.Kuppammal@Velankanni	Petitioner in WP 21927/2015
E.Rani	Petitioner in WP 21928/2015
Mala	Petitioner in WP 21929/2015
P.Jayaraj	Petitioner in WP.No.215/2021

Vs.

1.The Sub Collector,
Tiruvallur,
Tiruvallur District.

2.The Tahsildar,
Poonamallee Taluk,
Tiruvallur District.

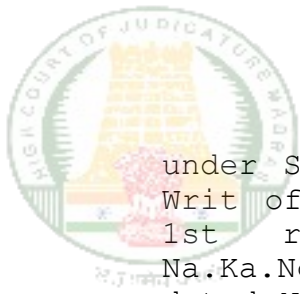
...Respondents in WP.No.21921/2015 to 21929/2015

1.The Chairman
Tamilnadu State Bhoodan Board,
Fort Saint George,
Chennai - 600 009.

2.The Director,
Land Reforms,
Ezhilagam, Chepauk,
Chennai - 600 005

...Respondents in WP.No.215/2021

PRAYER in WP's 21921 to 21929/2015: These Writ Petition filed



under Section 226 of Constitution of India, pleaded to issue a Writ of Certiorarified Mandamus calling for the records of the 1st respondent herein dated 24.6.2015 and made in Na.Ka.No.1089/2015/A2 confirming the order of the 2nd respondent dated Nil June 2013 and made in O.Mu.1454/2013/A2 and quash the same as illegal and without jurisdiction and further direct the 2nd respondent herein to grant patta in favour of the petitioner herein in respect of his lands situated in Old Survey No.10, Kattupakkam Village, Poonamallee Taluk, Tiruvallur District.

PRAYER in 215/2021: Writ petition under section 226 of the Constitution of India, pleaded to issue a writ of certiorarified mandamus or any other writ or appropriate order or direction, calling for the records of the 2nd Respondent by his Proceedings Na.Ka.No.K4/1410/2019(Poo.Vaa) dated 12.02.2020 and quash the same as illegal and without jurisdiction and further to direct the 2nd Respondent to grant No Objection Certificate to the Petitioner for the lands situated in Survey No.10/1, at Kattupakkam Village, Poonamallee Taluk, Tiruvallur District, measuring an extent of 47 cents assigned to the Petitioner by the Tamil Nadu State Boodhan Board.

For Petitioner
in all W.Ps : Mr.G.Nagarajan

For Respondents
in all W.Ps. : Mr.R.P.Murgan Raja
Government Advocate

Common Order

Since the issue arises in the present round of litigation are one and the same, this Court is inclined to take up these matter together and disposed of by this common order.

2. The case of the petitioners is that on an earlier occasion, the petitioners' fathers were assigned certain extents of land in Old S.F.No.10, Kattupakkam Village, Poonamallee Taluk, Tiruvallur District, vide Tamil Nadu Bhoodan Yagna Board under the Tamil Nadu Bhoodan Yagna Act, 1858 and the said lands were assigned to their fathers, since they were a poor landless farmers belonging to Adhi Dravida Community and after the lifetime of the petitioners' fathers, they were in absolute possession and cultivating the said lands. Thereafter, the petitioners have approached the Tahsildar (Land Survey), Poonamallee Taluk, to grant patta and effect the sub division, however their application was rejected and as against the same, the petitioners have filed necessary appeal before the Revenue Divisional Officer, Thiruvallur, to set aside the order of the



Tahsildar and to issue patta to their extent of lands. However, the said appeal was dismissed by the 1st respondent on a different ground that the petitioners have not produced No Objection Certificate from the Bhoodan Board for the grant of patta in their favour. Aggrieved by the same, the petitioners are before this Court.

3. The learned counsel appearing for the petitioners submitted that when the Sub Collector, Thiruvallur District, rejected the petitioners' application on the ground that the said land was classified as Bhoodan land and without obtaining No Objection Certificate from the Bhoodan Board, the question of making representations before the Tahsildar and the revenue officials for issuance of patta, does not arise, this Court may permit the petitioners to approach the Tamil Nadu Bhoodan Yagna Board for issuance of No Objection Certificate and thereafter, the petitioners may make further claim before the revenue officials for issuance of patta and prays for appropriate orders in that regard.

4. The learned Government Advocate has no serious objections for the said order being passed.

5. Considering the limited prayer sought for by the learned counsel appearing for the petitioners, this Court, without going into the merits of the case, permits the petitioners to approach the Tamil Nadu Bhoodan Yagna Board for issuance of No Objection Certificate and after obtaining NOC from the said Board, the petitioners are at liberty to make fresh application before the revenue officials for issuance of patta.

6. These Writ Petitions are disposed of with the above observations. No costs. Consequently connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CS-II)

//True Copy//

Sub-Assistant Registrar

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To

1.The Sub Collector,
Tiruvallur,
Tiruvallur District.



2.The Tahsildar,
Poonamallee Taluk,
Tiruvallur District.

3.The Chairman,
Tamil Nadu State Bhoodan Board,
Fort St George,
Chennai - 600 009.

4.The Director,
Land Reforms,
Ezhilagam, Chepauk,
Chennai - 600 005.

+1cc to the Government Pleader, S.R.No.28369

W.P.Nos.21921 to 21929 of 2015
and
215 of 2021

AJS (CO)
RN(12/05/2022)