



W.P.No.16471 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.10.2022

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

W.P.No.16471 of 2017

P.Raju

. . . Petitioner

Vs.

1. The District Collector,
Neelagiri,
Nilgiris District.
2. The Revenue Divisional Officer,
Gudalur,
Nilgiris District.
3. The Tahsildar,
Pandalur Taluk,
Nilgiris District.

. . . Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ, order or direction in the nature of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings of the 2nd respondent in Na.Ka.A1.2895/16 dated 03.04.2017 and quash the same and for a consequently direct the 3rd respondent to issue Patta to the petitioner in



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respect of lands situated in New Survey No.1727/2, Nilliyalam Village,
Pandalur Taluk, Nilgiris District.

For Petitioners : M/s.D.Balachandran

For Respondents : Mr.U.Baranidharan,
Additional Government Pleader

ORDER

The present petition has been filed seeking to quash the proceedings dated 03.04.2017 which came to be passed by the 2nd respondent and direct the 3rd respondent to issue Patta in favour of the petitioner in respect of lands situated in New Survey No.1727/2, Nilliyalam Village, Pandalur Taluk, Nilgiris District.

2. It is the case of the petitioner that his father was in possession of the land in New Survey No.1727/2, Nilliyalam Village, Pandalur Taluk, Nilgiris District. While so, the District Forest Officer, illegally trespassed and dispossessed him from the said property, due to which, suit in O.S.No.101 of 1987 came to be filed for recovery of possession, which was



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decreed in favour of the petitioner's father vide the decree dated 25.11.1987, based on which, the possession was handed over to the petitioner's father.

After the demise of his father, the petitioner is in possession of the above property, based on which, he made an application seeking issuance of patta, however, the said application was rejected by the 2nd respondent, on the ground that the petitioner's request cannot be considered in view of the bar for assignment of the land in G.O.Ms.No.1168 dated 25.07.1989, Revenue Department as the above land has been classified as Meikal Poromboke land in revenue records. Challenging the same, the petitioner has come up with the present petition.

3. Learned counsel for the petitioner submits that there was no instructions from the petitioner and no further steps have been taken by the petitioner to proceed further.

4. Learned Additional Government Pleader appearing for the respondents submits that the petitioner's claim was rejected on the ground that, as per the revenue records, the above said land having been classified



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as “Meikal Poromboke” and there being a bar for grant of Assignment as per G.O.Ms.No.1168 dated 25.07.1989, Revenue Department, patta cannot be issued in favour of an individual person. Therefore, the order impugned in this Writ Petition cannot be found fault with and this Writ Petition deserves to be dismissed.

5. In view of the fact that the above land having been classified as “Meikal Poromboke”, no individual can claim any right over the land as the said land can be utilized only for the purpose of grazing cattle and no other activities can be carried out in the said land. Further, when there is a bar under G.O.Ms.No.1168 dated 25.07.1989, Revenue Department, for grant of assignment, the said land cannot be assigned in favour of any individual, more so when the revenue records reveals that the classification of land as “Meikal Poromboke”. In such view of the matter, the claim of the petitioner cannot be considered and the prayer sought for in this Writ Petition cannot be acceded to. Hence, the order impugned in this Writ Petition needs no interference.



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6. For the reasons aforesaid, this Writ Petition is devoid on merits and the same is dismissed accordingly. No Costs.

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NHS

Index : Yes / No

Internet : Yes / No



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M.DHANDAPANI, J.

NHS

To

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