



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **16.06.2022**

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P (MD)No.2491 of 2012

K.Thangamoni

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by the Secretary to Government,
Revenue Department,
Fort St. George,
Chennai-600 009.

2.The District Collector,
Kanyakumari District,
Nagercoil.

3.The Tahsildar,
Thovalai Taluk,
Bhoothapandy,
Kanyakumari District.

4.The Tahsildar,
Agasteeswaram Taluk,
Nagercoil,
Kanyakumari District.

5.The Tahsildar,
Kalkulam Taluk,
Thuckalay,
Kanyakumari District.

6.The Tahsildar,
Vilavancode Taluk,
Kuzhithurai,
Kanyakumari District.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the order of the second respondent vide Pro.No.M2/31162/2010 dated 05.01.2011, quash the same and consequently direct the second respondent to assign agricultural land to the petitioner in Kanyakumari District.



For Petitioners : Mr.C.T.Perumal

For Respondents : Mr.N.Muthu Vijayan
Special Government Pleader

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ORDER

The present writ petition has been filed challenging an order passed by the second respondent herein on 05.01.2011, under which the request for assignment of land has been rejected.

2. In the impugned order, the District Collector, Kanyakumari District has pointed out that there are no eligible lands available for assignment of land for agricultural purposes in Thoivalai Taluk.

3. Now the learned counsel for the petitioner, on instructions, submits that he is not restricting his prayer with regard to the Thoivalai Taluk alone and the District Collector may be directed to consider the petitioner's request for grant of assignment in any Taluk in the District depending upon the availability of the eligible lands.

4. Considering the fact that the petitioner is an Ex-Service man. He is entitled to certain preferential quota under Revenue Standing Order 15(24). In the impugned order, the District Collector has considered the request of the petitioner by analysing the lands available in Thoivalai Taluk and arrived at a conclusion that there is no eligible land available in the said Taluk. I do not find any illegality or infirmity in the order passed by the District Collector. But the learned counsel for the petitioner, on instructions, submits that the petitioner is ready to accept assignment of land in any one of the Taluk in Kanyakumari District.

5. The District Collector, Kanyakumari is directed to consider the said request for assignment of land in the light of Revenue Standing Order 15(24), if any such application is being filed. In case if such an application is filed, the District Collector is directed to consider the same and pass orders on merits within a period of twelve weeks from the date of receipt of the application.

6. With the above said observation, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/06/2022

Sub Assistant Registrar(CS)



To
1.The Secretary to Government,
State of Tamil Nadu,
Revenue Department,
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Chennai-600 009.

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+1 CC to M/s.C.T. PERUMAL, Advocate (SR-26256[F] dated 16/06/2022)

+1 CC to M/s.SPL.GP (SR-26541[F] dated 17/06/2022)

W.P (MD) No.2491 of 2012
16.06.2022

RD(24.06.2022) 3P 9C