



WEB COPY



W.P.No.7242 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2023

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.7242 of 2023
and W.M.P.No.7292 of 2023

M. Arulpandiyan

... Petitioner

Vs.

- 1.The District Collector,
Cuddalore District, Cuddalore.
- 2.The Revenue Divisional Officer,
Chidambaram, Cuddalore District.
- 3.The Tahsildar,
Bhunagiri Taluks, Cuddalore District.
- 4.The Revenue Inspector,
Bhunagiri Taluks, Perangaipettai,
Cuddalore District.
- 5.The Inspector of Police,
Portonovo Police Station,
Perangaipettai, Bhunagiri Taluks,
Cuddalore District.
- 6.The Village Administrative Officer,
68-Ariyakosti Village, Perangaipettai,
Bhunagiri Taluk, Cuddalore District.



W.P.No.7242 of 2023

7.Mohammad Younus,
President, Perangaipettai Town Panchayat,
Bhunagiri Taluk, Cuddalore District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, forbearing the respondents from interfering with the peaceful possession and enjoyment of the petitioner in respect of the property situated in R.S.No.167/1 measuring Ac.4.02 cents (Old S.No.1A193), Perangaipettai Village, except in accordance with law.

For Petitioner : Mr.R. Dakshina Murthy

For Respondents : Mr.V. Veluchamy,
Additional Government Pleader

ORDER

Heard Mr.R. Dakshina Murthy, learned counsel for the petitioner and Mr.V. Veluchamy, learned Additional Government Pleader for the respondents.

2. Claiming that the petitioner is in physical possession of the property situated in RS.No.167/1, measuring Hectares 0.43, Ariyagoshty Village, Bhuvanagiri Taluk, Cuddalore District, the petitioner seeks for a



W.P.No.7242 of 2023

direction to the respondents, forbearing the respondents from interfering with his possession in the subject lands.

3. Admittedly, the petitioner herein does not possess any revenue document, including patta, to substantiate that he or his ancestors are the owners of the subject property nor any document is produced to prove his right of possession.

4. The learned Additional Government Pleader produced a copy of the proceedings of the Revenue Tahsildar, Bhuvanagiri Taluk, in Na.Ka.No.A5/382/2023 dated 10.03.2023 and submitted that an extent of Hectares 0.43.5 in Survey No.167/1, are classified as Government Tharisu lands. These lands are now sought to be allotted to 35 villagers, who are below the poverty line, to an extent of 0.2 cents per person.

5. When the petitioner does not have any title or right of possession over the subject lands, the proceedings of the respondents dated 10.03.2023, for allotment of the subject lands to landless persons, who are below the poverty line, cannot be found fault with.



W.P.No.7242 of 2023

WEB COPY

6. In this background, the Revenue Tahsildar is granted liberty to proceed with the allotment, pursuant to his proceedings dated 10.03.2023, in favour of the 35 landless persons.

7. The learned counsel for the petitioner, at this juncture, submitted that the petitioner is dependent on the subject lands for his livelihood.

8. In case the petitioner is entitled for other allotment in any other area, it is always open to him to approach the District Collector, seeking for allotment.

9. With the above liberty, the Writ Petition stands dismissed. No costs. Connected miscellaneous petition is closed.

15.03.2023

Speaking/Non-speaking Order

Internet: Yes/No

Index: Yes/No

Neutral Citation: Yes/No

Sni



W.P.No.7242 of 2023

WEB COPY

- To
- 1.The District Collector,
Cuddalore District, Cuddalore.
 - 2.The Revenue Divisional Officer,
Chidambaram, Cuddalore District.
 - 3.The Tahsildar,
Bhunagiri Taluks, Cuddalore District.
 - 4.The Revenue Inspector,
Bhunagiri Taluks, Perangaipettai,
Cuddalore District.
 - 5.The Inspector of Police,
Portonovo Police Station,
Perangaipettai, Bhunagiri Taluks,
Cuddalore District.
 - 6.The Village Administrative Officer,
68-Ariyakosti Village, Perangaipettai,
Bhunagiri Taluk, Cuddalore District.
 - 7.Mohammad Younus,
President, Perangaipettai Town Panchayat,
Bhunagiri Taluk, Cuddalore District.



WEB COPY



W.P.No.7242 of 2023

M.S.RAMESH, J.

Sni

W.P.No.7242 of 2023

15.03.2023