



W.P.No.39497 of 2015

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.39497 of 2015

K.Chinnaraj

... Petitioner

Vs.

1. The Commissioner for Land Reforms,
Chepauk,
Chennai – 600 005.
2. The Director/Special Officer,
Tamil Nadu Poomithana Board,
Panagal Maligai,
Saidapet,
Chennai – 600 015.
3. The District Collector,
Coimbatore District,
Coimbatore.
4. The District Revenue Officer,
Coimbatore District,
Coimbatore.
5. The Inspector of Poomithana Land,
Poominatha Board,
O/o. District Collectorate,
Coimbatore.



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6. Bala

7. Nallasamay

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the respondents 2 to 5 to take appropriate action and to conduct an enquiry for the violation of conditions stipulated in the assignment made under Poominathana Land Scheme in pursuant to the memo issued by the first respondent dated 13.03.2015 and 11.09.2015 respectively within a stipulated time.

For Petitioner : Mr.M.R.Jothimanian

For Respondents :

For R1 to R5 : Mr.D.Ravichander
Special Government Pleader

For R6 & R7 : Ms.D.Monisha
for Mr.S.Thiruvengadam

ORDER

The relief sought for in the present writ petition is to direct the respondents 2 to 5 to take appropriate action and to conduct an enquiry for the violation of conditions stipulated in the assignment made under Poominathan Land Scheme in pursuant to the Memo issued by the first respondent dated 13.03.2015 and 11.09.2015 respectively.



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2. The learned counsel for the petitioner states that the conditional assignment granted in favour of the respondents 6 and 7 had been violated and they have alienated the property. In this regard, the petitioner submitted a complaint and the authorities competent had not looking into the same and thus, the petitioner is constrained to move the present Writ Petition.

3. The learned Special Government Pleader appearing on behalf of the respondents 1 to 5 relying on the counter affidavit filed by the respondents 1 to 5 stating that the petitioner himself agreed that the subject property in S.F.No.498 is in enjoyment of the allottee. The statement of the writ petitioner that the Bhoodan land allottee has sold the land to one Thiru.Nallasamy has not been proved as no sale document was produced by the writ petitioner. Even the contention that the 7th respondent and his men are disturbing the writ petitioner for carrying on his agricultural activities and threatening was also not proved. Thus, in the absence of any document to establish that the assigned conditions are violated, no action needs to be taken. If at all the petitioner holds any such documents, he is at liberty to place the same before the competent authorities for further action.



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4. With these observations and directions, the Writ Petition stands dismissed. No cost.

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Index: Yes/No

Speaking order/Non-speaking order

Neutral Citation: Yes/No

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S.M.SUBRAMANIAM, J.

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