



WEB COPY

WP No.12198 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-08-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.12198 of 2021

And

WMP Nos.12979 to 12981 of 2021

Senthil

... Petitioner

Vs.

1.The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

2.District Revenue Officer,
Vengikal,
Thiruvannamalai.

3.Revenue Divisional Officer,
Thiruvannamalai.

4.The Tahsildar,
Thiruvannamalai Taluk,
Thiruvannamalai.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the order dated 27.08.2020 passed by the fourth respondent in his proceedings No.2020/9005/06/697552/0704 dated 04.07.2020 (as published in web portal) and to quash the same and consequently direct the respondents herein to grant patta to the petitioner in respect of property bearing Survey No.124/1, Arapakkam Village, Thiruvannamalai Taluk and District.

For Petitioner : Mr.D.Baskar

For Respondents : Mr.G.Krishna Raja,
Additional Government Pleader.

ORDER

The order impugned passed by the fourth respondent in proceedings dated 04.07.2020, is under challenge in the present writ petition mainly on the ground that the petitioner is owing a property landed to an extent of 25 cents and his adjoining Government land is classified as 'Parai Poramboke'.



2. Since the petitioner is in occupation of the said Government land for several years, he submitted an application for grant of patta. The Tahsildar rejected the claim of the petitioner mainly on the ground that the said Government land has been reserved for the purpose of re-locating the encroachers of the water bodies. Therefore, it is considered as an objectionable Government land and patta cannot be granted.

3. The petitioner, admittedly, is the owner of 25 cents of land and therefore, he is not entitled to claim patta in respect of adjacent Government land. The petitioner is the Post Graduate Degree holder in M.Sc. More-so, the petitioner is owning 25 cents of land and therefore, he will not fall under the category of 'Landless Poor Person'.

4. Free patta or allotment of land on cost is to be granted only to the eligible persons, who all are not owning any land or otherwise.

5. In the present case, the petitioner is owning land to an extent of 25 cents and he is the Post Graduate Degree Holder in M.Sc. Therefore, the application submitted by the petitioner for the grant of patta to the



Government land, is in consonance with the principles and there is no infirmity as such.

WEB COPY

6. Accordingly, the present writ petition stands dismissed.

However, there shall be no order as to costs. Consequently, the connected miscellaneous petitions are also dismissed.

10-08-2023

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

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To



WEB COPY

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WEB COPY

WP No.12198 of 2



S.M.SUBRAMANIAM, J.

Svn

WP 12198 of 2021

10-08-2023