



W.P.No.30922 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.11.2023

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.30922 of 2023

Sri. Krisar Trust,
Rep. by its Managing Trustee K.K.Rajan,
Old No.418, New No.191-A,
Big Sowrashtra Street,
Sathyamoorthy Road,
Arani – 632 301

... Petitioner

versus

1. The Commissioner of Land Reforms,
Ezhilagam, Chennai
2. The District Collector,
Office of the District Collector,
Ranipet District.
3. The Tahsildar,
Arcot Taluk, Ranipet District.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the second respondent in Pa.Mu.C1/1924/2019 dated 08.07.2023 and quash the same and direct the 2nd respondent above said lands in S.Nos.169/1 and 169/2, Mosur Village, Arcot Taluk by sale or by



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way of long term lease to the petitioner institution within a time limit prescribed by this Court.

For Petitioner : Mr.R.Singaravelan
Senior Advocate
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned order passed by the second respondent in Pa.Mu.C1/1924/2019 dated 08.07.2023.

2. The case of the petitioner is that the petitioner Trust is running a school, viz., the Krisar Academy at No.136/6, Arcot to Arani Highway Road, Paradarami Village, Arcot Taluk. However, with regard to facilities for basic physical activities like exercise, drill, games and sports, there is a dearth of space inside the school campus. The petitioner states that the adjacent land in Survey No. 169/1 and 169/2, Msur Village, Arcot Taluk, Ranipet District has been classified as “Government Poramboke” which was lying vacant for years together and therefore, the petitioner submitted



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various representations to the respondents making a genuine request to grant the said land to their Trust by way of lease, long lease or through sale of the said lands to their Trust at Market price. Since the same did not evoke any response, the petitioner filed WP No.27891 of 2022 before this Court and this Court had passed an order dated 19.10.2022, directing the 2nd respondent to pass orders on the representation dated 17.09.2021 submitted by the petitioner Trust within a period of 12 weeks from the date of receipt of that order. Pursuant to the said order, the 2nd respondent had passed the impugned order No.Pa.MuC1/1924/2019 dated 08.07.2023 on the ground that an Integrated Agricultural Extension centre is being planned in the said lands owing to resolution passed by Panchayat not to grant patta or lease the said lands to private parties. Challenging the said impugned order, the present writ petition has been filed before this Court.

3. The learned Senior Counsel appearing on behalf of the petitioner would submit that the writ petitioner is running the school and they are in need for space to expand the school for physical activities. The District Collector, who is the 1st respondent had rejected the petitioners'



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request on the ground that the village panchyat has passed a resolution stating that the said land has to be kept vacant in order to establish the agricultural extension centre in that place. The learned Senior counsel further submitted that they are ready to give alternative land for establishing an Integrated agricultural Center.

4. The learned Senior counsel relied upon G.O.Ms.No.201, Revenue and Disaster Management Department, Land Disposal wing, LD3(1) Section dated 10.05.2022. The relevant portion in the Government order is extracted hereunder :-

3. The committee deliberated over the need to simplify and streamline the existing procedures for exchange of land to be in line with the changing Scenario to create a win-win situation for Government as well as the applicant typically for an industry or higher education institution, as well as other applicants.

5. The learned Additional Government Pleader appearing for respondent submitted that they will consider the petitioners' request and pass appropriate orders, in the light of above Government Order.



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6. Taking into consideration the facts and circumstances of the case, the petitioner is directed to file a fresh representation to the 2nd respondent. The 2nd respondent on receipt of the same shall consider the same in the light of G.O.Ms.No.201, Revenue and Disaster Management Department, Land Disposal wing, LD3(1) Section dated 10.05.2022 and thereafter, pass appropriate orders, in accordance with law, within a period of two months from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

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Speaking/Non-speaking order

Index: Yes/No

Neutral Citation : Yes/No

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To

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