



W.P(MD)No.12 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.12 of 2022

V.Ramasubbu

... Petitioner

Vs.

1.The Director Cum Special Officer,
Tamil Nadu Boodhan Board,
Chennai - 600 005.

2.The District Collector,
Dindigul District,
Dindigul.

3.The Tahsildar,
Palani Taluk,
Dindigul, District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the second respondent to consider my representation dated 22.04.2021 to issue patta to the petitioner's punja land measuring about 30 cents comprised in



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Survey No.77/1, situated at Neikarapatti Village, Palani Taluk, Dindigul District.

For Petitioner : Mr.T.Dhandapani

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

ORDER

The writ petition has been filed in the nature of a Mandamus seeking a direction against the second respondent to consider the representation dated 22.04.2021 and to issue patta for lands measuring 30 cents in Survey No.77/1 at Neikarapatti Village, Palani Taluk, Dindigul District.

2. In the affidavit filed in support of the writ petition, it had been stated that the petitioner, an Ex-service man, had purchased the said lands measuring 30 cents in Survey No.77/1 on 18.09.1996 situated at Neikarapatti Village, Palani Taluk, Dindigul District, from one Periya Ramasamy through a sale deed registered as document No.1495 of 1996.



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It is stated that he had applied for patta in the year 2010. He then gave a representation in the year 2012. He had then made an another application in the year 2021. He had then filed the present writ petition.

3. The learned Special Government Pleader had filed a counter affidavit on behalf of the third respondent, which had been sworn by the third respondent. In the counter affidavit, it had been stated that the lands in Survey No.77/1 measuring 0.48.0 hectare at Neikarapatti Village was donated to Tamil Nadu Boodhan Board by one Mr.Sakketh Ramasamy. Thereafter, the lands therefore, vested with Tamil Nadu Boodhan Board since before UDR (updating registry). It is still in the name of Tamil Nadu Boodhan Board with patta No.109. In the year 1978 the land was granted to one Mr.Perumal Nayudu and after his death, it was granted to Periya Ramasamy. The petitioner had purchased the lands from Periya Ramasmy. However, it had been very specifically stated that the said sale is an invalid sale under Section 15 of Tamil Nadu Boodhan Yagna Act, 1958. Those who have been granted lands have no right to sell or otherwise dispose of the land. They cannot even rent out the land. They have to pay only the land revenue and other charges to



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the Government. Thus, the sale deed in favour of the petitioner is an invalid sale deed and the petitioner cannot claim any right, title or interest over the said property.

4. As a matter of fact, the third respondent / Tahsildar had also issued a letter to the District Registrar (Registration), Palani in Roc.No.1941/2016/A6, dated 03.01.2022 to cancel the sale deed by which the land was conveyed to the petitioner herein. It is thus seen that the petitioner cannot claim any right, he cannot claim any title, he cannot claim any interest over the lands. The grant is also proposed to be cancelled and the recommendation in this connection has also been issued by the Sub Collector, Palani. Thus, the writ petition has no merits.

5. Accordingly, the writ petition is dismissed. No costs.

28.03.2023

Index :Yes/No
Internet :Yes/No
NCC : Yes / No

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To

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Dindigul.
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C.V.KARTHIKEYAN, J.

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