



Order dated 11.03.2024  
in W.P.No.2499 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 11.03.2024

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.2499 of 2024  
and W.M.P.No.2734 of 2024

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Tmt.S.Shamala

.. Petitioner

Vs.

1. The Tahsildar,  
Taluk Office,  
Vandavasi Taluk,  
Vandavasi-604 408.

2. The Sub-Registrar,  
Kilkodungalur,  
Tiruvannamalai District.

3. The District Collector,  
Thiruvannamalai.

(The Third respondent suo-motu  
impleaded as per order dated  
06.03.2024 in W.P.2499 of 2024)

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India,  
praying for issuance of a Writ of Certiorarified Mandamus to call for records  
relating to the first respondent's proceedings, dated 27.07.2023 in



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O.Mu.B5/10197/2022, and quash the same and further direct the first respondent to make necessary changes in the Revenue Accounts maintained by the Village Administrative Officer with respect to the petitioner's land by removing the DC land comprised in Survey No.10/1C over an extent of 1.21.5 Hectares (3 Acres) situated at Nelliyangulam Village, Vandavasi Taluk, Tiruvannamalai District.

For petitioner : Mr.M.Muthappan

For respondents: Mr.Yogesh Kannadasan, Spl.G.P. for RR-1 & 2  
Mr.T.Arun Kumar, Addl.G.P. for R-3

### ORDER

The petitioner has filed the above Writ Petition praying for issuance of a Writ of Certiorarified Mandamus to call for records relating to the first respondent's proceedings, dated 27.07.2023 in O.Mu.B5/10197/2022, and quash the same and further direct the first respondent to make necessary changes in the Revenue Accounts maintained by the Village Administrative Officer with respect to the petitioner's land by removing the DC land comprised in Survey No.10/1C over an extent of 1.21.5 Hectares (3 Acres) situated at Nelliyangulam Village, Vandavasi Taluk, Tiruvannamalai District.



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2. Learned counsel for the petitioner submitted that even though the first respondent has stated that there is no record to show that the subject land is a Panchami land and based on that, refusal or no objection is unwarranted and therefore, the impugned order may be set aside and the petitioner has no objection for alienating the property. Learned counsel further submitted that without any records, the Revenue Authority cannot dispute or they cannot refuse to issue the No Objection Certificate.

3. Learned Special Government Pleader and learned Additional Government Pleader appearing for the respective respondents submitted that the Tahsildar earlier has stated that the land in question is a Panchami land and there is no record to show that the subject land was not a Panchami land. It is not the case of the respondents that the land originally is a Panchami land. The case of the respondents is that it is only the land that was classified as Depressed Class land. When once it is classified as Depressed Class land, only the depressed class people/community has to comply with the conditions imposed in the assignment / Patta, as the case may be. They can only alienate or transfer the property within the class of people, i.e, within the depressed class community. They cannot further alienate or create encumbrance other than the depressed class people. In



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this case, the land originally was a Government land and subsequently, it was classified as DC land and from 1920 onwards, the land was classified as depressed class land and therefore, the Tahsildar has stated that it is not Panchami land. Most probably, the Tahsildar might have confined himself with the Panchami land and depressed class land and therefore, he would have stated that the land is not a Panchami land, whereas, the land is classified as depressed class land. Hence, according to the learned Spl.G.P./Addl.G.P. appearing for the respective respondents, there is no perversity in the impugned order.

4. Heard both sides and perused the materials available on record.

5. Admittedly, the land is classified as depressed class land and the assignment was also granted to the depressed class people. Now, the petitioner is a non-depressed class member and therefore, he cannot get the land from the depressed class persons, which is meant for assignment to the depressed class people.

6. In the above facts and circumstances, this Court finds that since the land in question is classified as depressed class land, and the petitioner belongs to non-depressed class members, the petitioner is not entitled to the relief sought for in the Writ Petition.



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7. This Court does not find any perversity or impunity or illegality or irregularity in the impugned order passed by the first respondent. The Writ Petition is accordingly dismissed. There shall be no order as to costs. Consequently, W.M.P. is closed.

11.03.2024

CS

To

1. The Tahsildar,  
Taluk Office,  
Vandavasi Taluk,  
Vandavasi-604 408.
2. The Sub-Registrar,  
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3. The District Collector,  
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