



W.P.No.6603 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.03.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No. 6603 of 2024

and

W.M.P.No.7329 of 2024

M.Gunasekaran

... Petitioner

versus

1. The District Collector,
O/o.The District Collector,
Ranipettai District,
Ranipettai.
- 2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Ranipettai, Ranipettai District.
- 3.The Tahsildar,
O/o.The Tahsildar,
Arcade Taluk,
Ranipettai District.
- 4.The Village Administrative Officer,
Athithangal Village,
Arcade Taluk,
Ranipettai District.

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying

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to issue a Writ of Mandamus, directing respondents 2 to 4 to send proposal for grant of cost assignment Patta in respect of the Government Punja land in S.No.148/2A and 148/2B to an extent of 50 cents, situated at Athithangal Village, Arcade Taluk, Ranipettai District and consequential direction to the first respondent to order to issue cost assignment patta on the basis of the petitioner's representation dated 03.01.2024 in accordance with G.O.(Ms).No.248, Revenue (LD-I(2)) Department, dated 28.07.2009 and G.O.(Ms).No.60, Revenue (LD III (1) Department, dated 05.02.1999.

For Petitioner : Mr.D.Shanmugaraja Sethupathi
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

Mr.T.Arun Kumar, learned Additional Government Pleader accepts notice for the respondents. With the consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This Writ Petition has been filed seeking for issuance of a writ of mandamus, directing respondents 2 to 4 to send proposal for grant of cost assignment Patta in respect of the Government Punja land in S.Nos.148/2A and 148/2B, measuring an extent of 50 cents, situated at Athithangal Village,

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Arcade Taluk, Ranipettai District and consequently, direct the first respondent to issue cost assignment Patta based on the petitioner's representation dated 03.01.2024 in accordance with G.O.(Ms).No.248, Revenue (LD-I(2) Department, dated 28.07.2009 and G.O.(Ms).No.60, Revenue (LD III (1) Department, dated 05.02.1999.

3. The case of the petitioner is that he has purchased the Punja lands in S.Nos.146/3, 146/4, 147/4, 147/5, 149/2, 150/2, 154/2, 154/4 and 154/3 by a registered sale deed vide Document No.2098/2005 dated 28.04.2005 and obtained Patta in Patta No.41. The petitioner is also in possession of Punja lands in S.Nos.143/1 (Patta No.219), S.Nos.154/1 and 154/6 (Patta No.221) S.No.142/1B (Patta No.738) S.No.143/2A (Patta No.740) and S.Nos.156/4, 159/1B, 160, 161/9A, 172/1B2 and 172/4A (Patta No.895) and he is cultivating crops and enjoying the said Punja lands. The further case of the petitioner is that in front of the above said Punja lands, there is Government Punja lands in S.Nos.148/2A (45 cents) and 148/2B (5 cents). The above Government Punja Lands are the only way to reach the petitioner's agricultural lands. Since the above Government Punja lands are barren without any use, the petitioner has given a representation to respondents 1 to

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3 on 03.01.2024, seeking to grant cost assignment Patta to the above Government Punja lands in favour of the petitioner as per G.O.(Ms).No.248, Revenue (LD-I(2)) Department, dated 28.07.2009 and G.O.(Ms).No.60, Revenue (LD III (1)) Department, dated 05.02.1999, after obtaining necessary market value of the land which may be fixed by the Government in accordance with law. Since there was no response from the respondents till date, the present writ petition has been filed.

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

5. It is seen from the records that the petitioner has purchased the above lands in the year 2005 and there is no recital stating that the petitioner can use the Government Punja lands as pathway in the sale deed. Therefore, the petitioner has not established his right over the Government Punja lands.



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This writ petition is dismissed, accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

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Index: Yes/No
Speaking Order : Yes/No
Neutral Citation Case : Yes/No
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To

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O/o.The District Collector,
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Ranipettai.
- 2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Ranipettai, Ranipettai District.
- 3.The Tahsildar,
O/o.The Tahsildar,
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Ranipettai District.
- 4.The Village Administrative Officer,
Athithangal Village,
Arcade Taluk,
Ranipettai District.

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