



W.P.Nos. 32735 and 32737 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.02.2024

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Nos. 32735 and 32737 of 2022

and

W.M.P.Nos. 32115 of 2022 and 32120 of 2022

K.Aaron Anandhan

... Petitioner

in W.P.No.32735 of 2023

K.Kumar

... Petitioner

in W.P.No.32737 of 2023

versus

1.The District Collector,
O/o.The District Collector,
Kanchipuram Town and Taluk,
Kanchipuram District – 631 501.

2.The District Revenue Officer,
O/o.The District Revenue Office,
Collectorate of Kanchipuram,
Kanchipuram Town and Taluk,
Kanchipuram District – 631 501.

Page Nos.1/11



W.P.Nos. 32735 and 32737 of 2022

3. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Sriperumpudhur Town and Taluk,
Kanchipuram District – 602 105.
4. The Tahsildar,
O/o. The Tahsildar,
Kundrathur Town & Taluk,
Kanchipuram District – 600 069
5. The Revenue Inspector,
O/o. The Revenue Inspector,
Serpanancherry Revenue Firka,
Kundrathur Taluk,
Kanchipuram District – 601 301.
6. The Village Administrative Officer,
O/o. The Village Administrative Office,
Serpanancherry Revenue Firka,
Kundrathur Taluk,
Kanchipuram District – 601 301.
7. K. Banu Priya
8. D. Manippura
9. R. Jayapradha
10. M. Subramani
11. S. Kaveri
12. A. Vimala



W.P.Nos. 32735 and 32737 of 2022

- 13.M.Gowsalaya
- 14.V.Geetha
- 15.M.Kanaga
- 16.B.Sowndariya
- 17.M.Kumari
- 18.Karuppasamy
- 19.Ajith
- 20.J.Uooga
- 21.J.Jayanthi
- 22.S.Gowsalya
- 23.S.Rani
- 24.S.Roopu
- 25.G.Jeeva
- 26.S.Ellappan
- 27.S.Velanganni
- 28.K.Anjalakshmi
- 29.S.Nanthini
- 30.S.Sathya
- 31.S.Latha
- 32.S.Kumari
- 33.A.Sathiya
- 34.K.Ilamali
- 35.V.Kavidha
- 36.S.Lakma
- 37.S.Vengatamma
- 38.R.Latha
- 39.S.Jayapradha
- 40.R.Soundarya
- 41.B.Vengatesh



W.P.Nos. 32735 and 32737 of 2022

42.V.Malliga

43.S.Santhi

44.A.Kanaga

45.V.Padma

46.Vellai

47.Y.Malliga

.... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus, directing the respondents 1 to 4 herein to consider the petitioner's last common representation dated 22.10.2022 for issuing Patta on the Petitioner's name in respect of more than 10 decades continuous possession and enjoyment of his housing properties of the lands under the classification of Grama Natham comprising in old survey No.33/1A, and New Survey No.33/14, measuring about total extent of 24913 square feet and measuring about total extent of 28788 sq.ft, respectively in No.149, Serpananchery Revenue Village and Post, Kundrathur Taluk, Kanchipuram District within the Sub Registration District of SRO, Padappai and Registration District of South Chennai, after cancelling the 41 free assignment housing pattas issued in favour of 7 to 47 respondents herein vide proceedings in Na.Ka.No.2730/2021/A1, dated 08.09.2021 issued by the Tahsildar of Kundrathur Town and Taluk, Kanchipuram District, the fourth respondent herein.



WEB COPY



W.P.Nos. 32735 and 32737 of 2022

For Petitioners : Mr.Dalit Tiger C.Ponnusamy
in both W.Ps

For Respondents : Mr.T.Arun Kumar
Additional Government Pleader
for R1 to R6
in both W.Ps

No appearance for R7 to R47
in both W.Ps

COMMON ORDER

These writ petitions have been filed seeking for issuance of a writ of mandamus, directing respondents 1 to 4 herein to consider the petitioners' common representation dated 22.10.2022, in and by which, they sought for issuance of Patta in the name of the petitioners in respect of the property, which is classified as 'Gramanatham land' in old survey No.33/1A, and New Survey No.33/14 measuring an extent of 24913 sq.ft and measuring an extent of 28788 sq.ft, respectively, in No.149, Serpananchery Revenue Village and Post, Kundrathur Taluk, Kanchipuram District, within the Sub



W.P.Nos. 32735 and 32737 of 2022

Registration District of SRO, Padappai and Registration District of South Chennai, after cancelling 41 free assignment housing Pattas issued in favour of 7 to 47 respondents herein vide proceedings in Na.Ka.No.2730/2021/A1, dated 08.09.2021 issued by the Tahsildar, Kundrathur Town and Taluk, Kanchipuram District, the fourth respondent herein.

2. The learned counsel for the petitioners submitted that the subject land is a Gramanatham land. The petitioners' ancestors and the petitioners have been in continuous exclusive possession and enjoyment of the subject property for more than 10 decades. He further submitted that more than twenty families are living in the said property, who are all belong to scheduled caste community. While so, the petitioners and others requested the fourth respondent/Tahsildar to issue Patta in their favour in respect of the subject property. Thereafter, it came to the knowledge of the petitioners that the fourth respondent herein vide proceedings dated 08.09.2021 issued free



W.P.Nos. 32735 and 32737 of 2022

assignment housing Pattas in respect of the subject property to 41 beneficiaries/respondents 7 to 47, who belong to Most Backward Community. Therefore, the petitioners gave a representation dated 22.10.2022 to grant Patta in their favour in respect of the subject property by cancelling the free assignment Pattas issued in favour of the respondents 7 to 47 herein. Since there was no response from respondents 1 to 6 till date, the present writ petitions have been filed.

3. The learned Additional Government Pleader appearing for respondents 1 to 6 submitted that the petitioners herein and their brothers have encroached larger extent of Gramanatham land in the said Sepenancherry Revenue Village. Therefore, the authority concerned implemented the Welfare Scheme of the Government and assigned free housing Pattas in favour of 41 beneficiaries/respondents 7 to 47 herein, who belong to Narikuravar community. The petitioners are not entitled for more



W.P.Nos. 32735 and 32737 of 2022

than 3 cents for residential purpose. Therefore, these writ petitions are liable to be dismissed.

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

5. It is seen that the petitioners have sought Patta for total extent of 24913 sq.ft and 28788 sq.ft, respectively in Gramanatham land. The petitioners themselves admitted that the land in question is classified as Gramanatham land. It is well settled law that Gramanatham land is meant only for dwelling purpose. If the landless poor wants to set up house in the said land, they can utilize maximum up to 3 cents, but not more than that. In the present case, the Government has assigned free housing Pattas to 41 beneficiaries in the said land.

6. Considering the fact that the land in question is classified as Gramanatham land and the same has already been assigned to landless poor/41 beneficiaries and also the fact that only maximum of 3 cents can be



W.P.Nos. 32735 and 32737 of 2022

utilized by any individual that too for dwelling purpose, the petitioners are not entitled to get the relief as sought for in these writ petitions.

7. In view of the above, these writ petitions are dismissed. However, the Government is directed to implement the scheme and build houses to those landless poor belonging to Narikurava community, who have been assigned with free house-site Pattas in the Gramanatham land. The Government is directed to expedite the scheme and complete the project within a reasonable time preferably within one year from the date of receipt of a copy of this order.

8. Consequently, connected miscellaneous petitions are closed.

However, there shall be no order as to costs.

29.02.2024

Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

ms



W.P.Nos. 32735 and 32737 of 2022

To

1. The District Collector,
O/o. The District Collector,
Kanchipuram Town and Taluk, Kanchipuram District – 631 501.
2. The District Revenue Officer,
O/o. The District Revenue Office,
Collectorate of Kanchipuram, Kanchipuram Town and Taluk,
Kanchipuram District – 631 501.
3. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Sriperumpudhur Town and Taluk, Kanchipuram District – 602 105.
4. The Tahsildar,
O/o. The Tahsildar,
Kundrathur Town & Taluk, Kanchipuram District – 600 069
5. The Revenue Inspector,
O/o. The Revenue Inspector,
Serpanancherry Revenue Firka,
Kundrathur Taluk, Kanchipuram District – 601 301.
6. The Village Administrative Officer,
O/o. The Village Administrative Office,
Serpanancherry Revenue Firka, Kundrathur Taluk,
Kanchipuram District – 601 301.



WEB COPY



W.P.Nos. 32735 and 32737 of 2022

P.VELMURUGAN, J.

ms

W.P.Nos. 32735 and 32737 of 2022

29.02.2024

Page Nos.11/11