



W.P(MD)No.10311 of 2019

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.12.2024

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.10311 of 2019

R.Ramachandran

... Petitioner

Vs

1.The District Collector,
Virudhunagar District.

2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

3.The Tahsildar,
Srivilliputhur Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the records relating the impugned order dated 30.08.2018 vide proceedings in O.Mu.G4/22521/2018 and quash the same as illegal and consequently directing the respondents 1 to 3 to allot two acres of lands in S.No.800/1 of Pillayarkulam Village, Srivilliputhur Taluk to the petitioner by receiving the guide line value assessed to the above mentioned lands or else to allot some other land to the petitioner within a time frame fixed by this Court.

For Petitioner : Mr.S.Sukumar

For Respondents : Mr.D.Gandhi Raj
Special Government Pleader



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ORDER

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This Writ Petition has been filed by the petitioner challenging the order passed by the first respondent dated 30.08.2018 thereby rejecting the request made by the petitioner seeking assignment of the land to an extent of 2 acres comprised in Survey No.800/1 situated at Pillayarkulam Village, Srivilliputhur Taluk, Virudhunagar District.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The petitioner had applied for assignment of land under the category of landless poor before the third respondent. The third respondent by its proceedings dated 02.06.2004 assigned the land admeasuring 0.34.0 ares comprised in Survey No.621/1 in favour of the petitioner. However, the petitioner had sold the said land in favour of one Balasubramanian, S/o.Dharmaraja by the registered sale deed 09.12.2009 vide Document No.7897 of 2009. Thereafter, the petitioner encroached on some portion of the land by putting up a thatched hut in a total extent of 2.13.0 hectares



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comprised in Survey No.800/1 situated at Pillayarkulam Village, Srivilliputhur Taluk, Virudhunagar District which is classified as assessed wasteland. Thereafter, the petitioner's wife made a representation before the first respondent to allot 2 acres of land out of total extent by way of assignment. On receipt of the said request, the first respondent directed the third respondent to conduct an enquiry and submit a report. After enquiry, the petitioner's wife was found to be eligible for allotment of 2 acres of land and the third respondent fixed the guideline value for the said property at Rs.1,09,000/- per hectare. However, thereafter, there was no progress and as such, the petitioner's wife filed a Writ Petition before this Court in W.P(MD)No.6860 of 2014 for a direction directing the respondents to consider her claim. This Court by order dated 22.04.2014 directed the third respondent to consider the representation submitted by the petitioner's wife within a period of four weeks. However, there was no order passed by the respondents and as such, once again, the petitioner's wife approached this Court and filed a Writ Petition in W.P(MD)No.13235 of 2014 for the very same relief. This Court, by order dated 12.08.2014 once again directed the third respondent to consider the representation submitted by the petitioner's wife by fixing the correct land value of the subject land. The petitioner filed a Writ



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Petition in W.P(MD)No.15076 of 2016 before this Court and this Court by order dated 13.11.2017 directed the respondents to consider the representation. As directed by this Court, a detailed enquiry was conducted and rejected the request made by the petitioner's wife by order dated 30.08.2018.

4.On perusal of the records would reveal that already the petitioner was assigned land admeasuring 0.34.0 ares by the proceedings dated 02.06.2024 comprised in Survey No.621/1 situated at Pillayarkulam Village, Srivilliputhur Taluk, Virudhunagar District with certain conditions. Against the conditions, the petitioner sold out the said property in favour of one Balasubramanian, S/o.Dharmaraja by the registered sale deed dated 08.12.2009 vide Document No.7897 of 2009. That apart, the land in which the petitioner now sought for assignment is situated adjacent to the land comprised in Survey No.800/3 within a distance of 50 meters. The said land is leased out for granite quarry and also in the middle of the land comprised in Survey No.800/1 situated at Pillayarkulam Village, there is a main road to reach the Police Training Battalion. Therefore, the petitioner is not eligible for any assignment of land since he already sold out the assigned land in favour of the third



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party violating the assignment conditions. Therefore, the request made by the petitioner was rightly rejected by the first respondent and this Court finds no infirmity or illegality in the order passed by the first respondent, dated 30.08.2018. Hence, this Writ Petition is devoid of merits and the same is liable to be dismissed. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

03.12.2024

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

To

- 1.The District Collector,
Virudhunagar District.
- 2.The District Revenue Officer,
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G.K.ILANTHIRAIYAN, J.

ps

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