



W.P.No.18043 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.06.2025

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THE HONOURABLE MR.JUSTICE **M.SUNDAR**

and

THE HONOURABLE MR.JUSTICE **HEMANT CHANDANGOUDAR**

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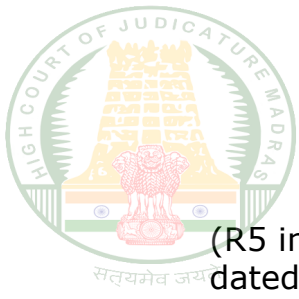
Association for Sarva Seva Farms,
Society Registered under the
Tamil Nadu Societies Registration Act
represented by its Board Member,
Mr.S.Muneeswaran,
279, Avvai Shanmugam Salai,
Royapettah, Chennai – 600 014.

... Petitioner

Vs.

- 1.The Collector,
Thiruvallur District, Thiruvallur.
- 2.The District Revenue Officer,
Thiruvallur District, Thiruvallur.
- 3.The Thasildhar,
Maduravoyal Taluk,
Thiruvallur District.
- 4.The Joint Director of Land Reforms,
Chepauk, Chennai.
- 5.The Tamil Nadu Bhoodan Yagna Board
rep. By its Member Secretary/
Commissioner of Land Reforms,
2nd Floor, Ezhilagam, Chepauk,
Chennai – 600 005.

... Respondents



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(R5 impleaded suo motu vide order
dated 04.06.2025 made in
W.P.No.18043 of 2025)

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Writ Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Mandamus to direct the respondents herein to consider the representation of the writ petitioner dated 03.10.2024 and remove the encroachers within the time frame fixed by this Court.

For Petitioner : Ms.P.Harsha Vardhini
for Mr.S.Janarthanam

For Respondents : Mr.T.K.Saravanan,
Additional Government Pleader

ORDER

[Order of the Court was made by **M.SUNDAR, J.,**]

Captioned main 'Writ Petition' [hereinafter 'WP' for the sake of brevity] is predicated on a 'representation dated 03.10.2024 sent by the writ petitioner to R1 to R4' (hereinafter 'said representation' for the sake of brevity, convenience and clarity).

2. Ms.P.Harsha Vardhini, learned counsel representing the counsel on record for writ petitioner, adverting to said representation, submitted that the crux and gravamen of said representation is lands



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assigned wayback in 1974 and that assignment is part of Tamil Nadu Boodhana Iyakkam. Learned counsel further submitted that there is encroachment qua lands which are subject matter of said representation, removal of the same and restoration of the same to the assignees is primary plea. Inaction on the part of the respondents has necessitated the captioned WP is learned counsel's further say.

3. Issue notice.

4. Mr.T.K.Saravanan, learned Additional Government Pleader accepts notice for R1 to R4 and submits that lands which are subject matter of said representation (which shall hereinafter be referred to as 'said lands') are governed by the 'Tamil Nadu Bhoodan Yagna Act, 1958 (Tamil Nadu Act XV of 1958)' (hereinafter 'said Act' for the sake of brevity, convenience and clarity).

5. A careful perusal of said Act brings to light that the term 'State Board' has been defined vide Section 2(i) which reads as follows:

2.Definitions – In this Act, unless the context otherwise requires -



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- (a)
- (b)
- (c)
- (d)
- (e)
 - (i)
 - (ii)
- (ee)
- (f)
- (g)
- (h)
 - (i) 'State Board' means the Tamil Nadu State

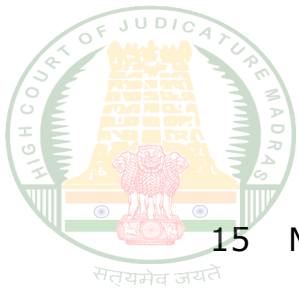
Bhoodan Yagna Board established under Section 3.

6. Thereafter, Section 3 is of significance and the same reads as follows:

3.Establishment and incorporation of State Board- *The duty of carrying out the provisions of this Act, shall, subject to the restrictions, conditions and limitations therein contained be vested in a Board to be called 'The Tamil Nadu State Bhoodan Yagna Board'.*

From hereon and henceforth we shall refer to the 'State Board' as 'said Board' for convenience.

7. Learned State counsel submits that in and vide G.O.Ms.No.493 Revenue (Ni.Ci.1(1)) Department dated 23.12.2009 a



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15 Member Board has been constituted. We find that the Commissioner of Land Reforms, Chepauk, Chennai- 600 005 is Member Secretary and we also notice from sub-section (2) of Section 3 of said Act that said Board is a body corporate. Therefore, we suo motu implead The Tamil Nadu Bhoodan Yagna Board represented by its Member Secretary i.e., Commissioner of Land Reforms, 2nd Floor, Ezhilagam, Chepauk, Chennai – 600 005 as R5. Learned State counsel Mr.T.K.Saravanan (Additional Government Pleader) accepts notice for R5 too.

8. As would be evident from Section 3 of said Act, duty of carrying out provisions of said Act vests in said Board. We also notice that the objective of said Act is facilitation of donation of lands for Boodhan Yagna initiated by Shri.Acharya Vinobha Bhave and the transfer and settlement of such lands for the benefit of landless poor persons or for community purposes and to provide in Gramdan villages for the vesting of lands.

9. This Court also notices that Section 28 of said Act vests in the Government rule making power, to be noted Government has been defined vide Section 2(c), which reads as follows:

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'2.Definitions – In this Act, unless the context otherwise requires -

(a)

(b)

(c) 'Government' means the State Government'

10. We are informed that the State Government has made a set of rules but it may not be necessary to delve into the same in the light of the order which we propose to make.

11. In the light of the obtaining position i.e., obtaining statutory eco system alluded to supra, we deem it appropriate to direct R5 to consider said representation on its own merits, in accordance with law, make orders and also carry the same to its logical end as expeditiously as the business of R5 would permit but in any event within twelve weeks from today i.e., on or before 27.08.2025. The said representation has been placed before us as part of the typed set of papers. It is undated but learned counsel for writ petitioner submits that said representation is dated 03.10.2018. Therefore, we deem it appropriate to scan and reproduce the said representation as placed before us, which is as follows:



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From

Association for Sarva Seva Farms,
represented by its Board Member,
Mr. S. Muneeswaran,
No.279, Avvai Shanmugam Salai,
Royapettah, Chennai 600 014.

To

1. The Collector,
Thiruvallur District,
Thiruvallur.
2. The District Revenue Officer,
Thiruvallur,
Thiruvallur.
3. The Thasildar,
Maduravoyal Taluk,
Chennai District.
4. The Joint Director,
Land Reforms,
Chepauk, Chennai 600 005.

Sir,

The Lands measuring an extent of 0.70 Cents in S.No. 260/1A2 and situate at Porur Village, Poonamallee Taluk, Thiruvallur District, Originally belonged to Tamilnadu Bhoomi Dhana Iyakkam. The said Lands were assigned in favour of Pancha @ Kuppan on 03.06.1974. As the said Pancha @ Kuppan had tried to convey the aforesaid Lands, the assignment in favour of the said Pancha @ Kuppan has been cancelled vide Letter bearing No. 1955/84 dated 31.08.1984 by the Tamilnadu Bhoomi Dhana Iyakkam.



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The Tamilnadu Bhoomi Dhana Iyakkam had assigned the lands in favour of Association of Sarva Seva Farms, for training the farmers of Gramdhan Villages of Tamilnadu vide their letter dated 24.10.1984. The Tamilnadu Bhommidhana Board had also issued a Certificate dated 27.10.1992 for the construction of Building by the Association of Sarva Seva Farms. The Association of Sarva Seva Farms have so far trained more than 4000 people right from 1984 from Gramdhan Village. The entire land is in the Custody of Association of Sarva Seva Farms for the past 39 years. However one M. Vasugi daughter of said Pancha @ Kuppan had illegally locked the Training Hall and staff quarters and illegally encroached upon to these lands with an malicious intention of grabbing the land.

Thereafter we had communicated to the 4th of you vide our letter dated 08.04.2021 and the 4th of you vide your communication dated 26.04.2021 had requested the Revenue Divisional Officer, Thiruvallur to remove the encroachments and handover the lands to us. Inspite of several remainders to the 2nd of you, has not removed the encroachment and handed over the land measuring an extent of 0.70 Cents in S.No. 260/1A2 and situate at Porur Village, Poonamallee Taluk, Thiruvallur District to us.

In these circumstances we are now requesting you to remove the encroachers of the measuring an extent of 0.70 Cents in S.No. 260/1A2 and situate at Porur Village, Poonamallee Taluk, Thiruvallur District and handover the same

Yours faithfully,

(S.MUNEESWARAN)
Board Member, Association for Sarva Seva Farms

Encl:

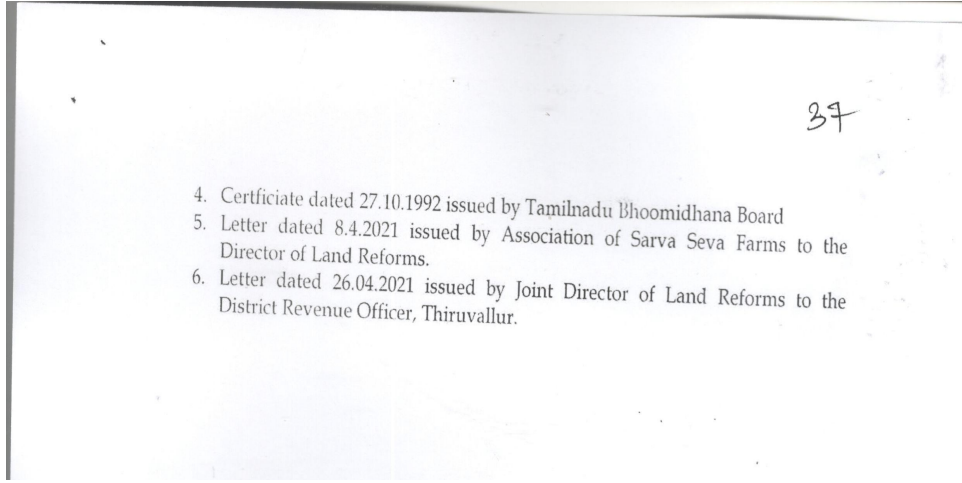
1. Allotment in favour of Pancha @ Kuppan
2. Cancellation proceedings in Na.Ka No. 1955/84 dated 31.08.1984.
3. Allotment Letter dated 24.10.1984 in favour of Association of Sarva Seva Farms



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12. For the sake of specificity, we make it clear that R5 is now directed to consider and dispose of the aforementioned representation (scanned and reproduced supra) on its own merits and in accordance with law more particularly said Act and Rules thereunder and executive fiats issued (if any) pertaining to said Act.

13. In the aforesaid drill to be embarked upon by R5, we make it clear that any person whose rights are likely to be touched upon shall be put on notice before orders are made. After orders are made, the writ petitioner and any other person who is put on notice shall be served with a copy of the same and the same shall be done within five working days from the date of the order.



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14. Captioned WP is disposed of in the aforesaid manner. There shall be no order as to costs.

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(M.S.,J.)

(H.C.,J.)

04.06.2025

Index : Yes / No
Neutral Citation : Yes
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To

- 1.The Collector,
Thiruvallur District,
Thiruvallur.
- 2.The District Revenue Officer,
Thiruvallur District, Thiruvallur.
- 3.The Thasildhar,
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**M.SUNDAR, J.,
and
HEMANT CHANDANGOUDAR, J.,**

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