



W.P.No.1022 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.09.2025

CORAM

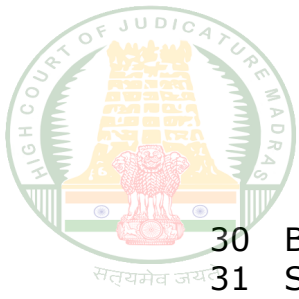
THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.1022 of 2018

And

W.M.P.Nos.1239 and 1240 of 2018

- 1 M.Balasubramaniam (Deceased)
- 2 M.Palaniammal
- 3 V.Kasthuri
- 4 M.Rajamani
- 5 R.Muthusamy
- 6 P.Kalamani
- 7 S.Palanisamy
- 8 N.Karthikeyan
- 9 R.Chandrasekaran
- 10 M.Narayanasamy @ M.Narayanan
- 11 S.Natarajan
- 12 K.Saradhakumari
- 13 R.Selvi
- 14 M.Revathi
- 15 K.Rajendran
- 16 Vijayalakshmi
- 17 A.Eswari
- 18 P.Senthilkumar
- 19 R.Lakshmi
- 20 K.Sivasamy
- 21 M.Lakshmi
- 22 V.P.Rajan
- 23 V.Saravanan
- 24 R.Lakshmi
- 25 S.Lalitha
- 26 S.Thulasiammal
- 27 C.Anandan
- 28 A.Ramadoss
- 29 V.Divakaran



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- 30 B.Thangamani
31 S.R.Palanisamy
32 A.Shanmugam
33 Chandran Shanmugam
34 Savithiri
35 T.Karthikeyan
36 V.Mangaiyarkarasi
37 N.Ramamurthy
38 S.Selladurai
39 C.Selvan
40 Radhamani
41 Sasirekha

(P40, P41 substituted as LRS of deceased first petitioner
vide order dated 03.08.2023 made in WMP.20740/2023
in WP.1022/2018 by SMSJ) ... Petitioners

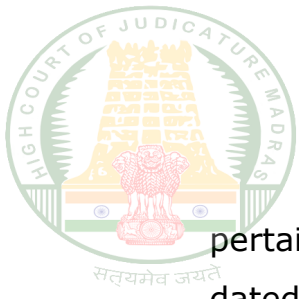
Vs.

- 1 The District Collector,
Collectorate Building,
Coimbatore – 18,
Coimbatore District.
- 2 The Revenue Divisional Officer,
Coimbatore North,
Coimbatore – 18.
- 3 The Tahsildar,
Coimbatore North Taluk,
Coimbatore District.
- 4 The Sub Registrar,
O/o.Sub Registrar,
Gandhipuram SRO
Coimbatore Town.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to
issue a Writ of Certiorarified Mandamus calling for the records



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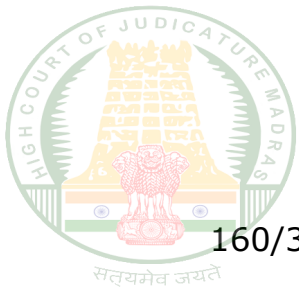
pertaining to the impugned order made in Na.Ka.No.6580/2017/A1, dated 27.04.2017 passed by the first respondent, quash the same, and consequently direct the respondents 1 to 3 to grant patta in the name of the petitioners to their respective house sites comprised in S.F.Nos. 160/3A, 160/3B, 160/3C, located in Shajahan Avenue, Saravanampatti Village, Coimbatore North Taluk, Coimbatore District.

For Petitioners : Mr.N.Manokaran
For Respondents : Mr.Rajesh
Government Advocate

O R D E R

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the order in Na.Ka.No.6580/2017/A1, dated 27.04.2017 passed by the first respondent, quash the same, and consequently direct the respondents 1 to 3 to grant patta in the name of the petitioners to their respective house sites comprised in S.F.Nos.160/3A, 160/3B, 160/3C, located in Shajahan Avenue, Saravanampatti Village, Coimbatore North Taluk, Coimbatore District.

2.The learned counsel appearing for the petitioners submitted that the subject matter lands comprised in S.F.Nos.160/3A, 160/3B,



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160/3C were assigned to one Karuppan, Kali and Nanjan in the year 1927. Thereafter, during the year 1987, the said assignees approached the second respondent seeking permission to sell their lands and the second respondent passed an order dated 04.06.1987 stating that there is no need to get prior permission to sell the lands after a lapse of 30 years from the date of assignment. Thereafter, the said Nanjan died leaving behind his son and daughter as his legal heirs and they executed two sale deeds in the name of one Kali and one K.Duraisamy and the said land was promoted and plotted out as house sites after getting approval from the Deputy Director of Town and Country Planning, Coimbatore in LP/R(CPN) No.69/1986 and thereafter the plots were sold to the petitioners and they put up construction and are living with their families. Thereafter, the petitioners made application for grant of patta, however, their claim for patta was rejected vide impugned order on the ground that assigned lands cannot be alienated.

3.The learned counsel appearing for the petitioners further submitted that the original assignees already approached the second respondent seeking permission to sell their lands and the second respondent passed an order dated 04.06.1987 stating that there is no



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need to get prior permission to sell the lands after a lapse of 30 years from the date of assignment and the vendor of the petitioners also alienated the property only after getting approval from the Deputy Director of Town and Country Planning, Coimbatore. Hence, the impugned order is not sustainable one. The learned counsel further submitted that if there is any violation of the conditions imposed in the assignment order, the respondents have to invoke the power under Section 15 (4) (3) of the Revenue Standing Orders at the relevant point of time, however, till date no action was taken as against the original assignee and the land was neither resumed back to the Government nor the assignment was not cancelled. Hence, refusing to grant patta to the petitioners at a later point of time is not sustainable one.

4.Per contra, the learned Government Advocate submitted that the subject lands were assigned to the original assignees on condition that the assigned lands should be used for cultivation purposes only and the lands should not be sold to persons other than the Scheduled Caste/ Adi Dravidar Community people and if the conditions are violated, the assigned lands would be resumed back to the Government and compensation towards the developments made would



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not be given to the assignees. The legal heirs of the original assignees executed sale deeds to third parties from which the above layout has been formed and sold to the petitioners. He further submitted that in view of the violation of the conditions imposed during grant of assignment to the original beneficiaries, the petitioners have no locus standi to seek patta in their names.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.The facts of the present case is not in dispute. Admittedly, the subject property was assigned to one Karuppan, Kali and Nanjan in the year 1927. It is equally un-disputed fact that the original assignees approached the second respondent seeking permission to sell their lands and the second respondent passed an order dated 04.06.1987 stating that there is no need to get prior permission to sell the lands after a lapse of 30 years from the date of assignment. Thereafter, the legal heirs of the assignees sold the property to the petitioners vendor and after getting approval from the Deputy Director of Town and Country Planning, Coimbatore, the petitioners vendor promoted and plotted out the said land and sold the same to the petitioners.



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7.If there is any violation of the conditions imposed in the assignment order, the respondents have to invoke the power under Section 15 (4) (3) of the Revenue Standing Orders at the relevant point of time, however, till date no action was taken as against the original assignee and the land was neither resumed back to the Government nor the assignment was not cancelled. Hence, refusing to grant patta to the petitioners at a later point of time is not sustainable one.

8.The writ petition is allowed. The impugned order made in Na.Ka.No.6580/2017/A1, dated 27.04.2017 passed by the first respondent is set aside and the respondents 1 to 3 are directed to grant patta in the name of the petitioners to their respective house sites comprised in S.F.Nos.160/3A, 160/3B, 160/3C, located in Shajahan Avenue, Saravanampatti Village, Coimbatore North Taluk, Coimbatore District. No costs. Consequently, connected miscellaneous petitions are closed.

03.09.2025

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Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

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M.DHANDAPANI,J.
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