



Writ Petition No.7765 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.03.2025

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.7765 of 2025

Usha

D/o.Cheran

... Petitioner

Vs.

1.The District Collector,
Coimbatore,
District Collectorate Office,
Coimbatore - 641 018.

2.The Sub-Collector,
Office of the Sub-Collector,
Venkatesa Colony,
Palaghat Road,
Pollachi - 642 001.

3.The Tahsildar,
Pallaghat Road,
Pollachi - 642 001.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to sub divide and hand over possession of land comprised in SF No. 565/31 of Puravipalayam Village, Pollachi Taluk as per the proceedings of the second Respondent in Ref.No.901/2015-28.09.2017 A.O.No.73 and Note Na.Ka.No.901/2016/B2 dated 06.02.2024 issued by the second respondent to the third respondent.

For Petitioner : Mr.N.Ishtiaq Ahmed



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For Respondents : Mr.M.R.Gokulkrishnan
Additional Government Pleader

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the respondents to sub-divide and handover possession of the subject property, which was assigned in favour of the petitioner under the Tamil Nadu Land Reforms (Disposal of Surplus Land Rules), 1965.

2. Heard Mr.N.Ishtiaq Ahmed, learned counsel for the petitioner and Mr.M.R.Gokulkrishnan, learned Additional Government Pleader appearing for respondents.

3. The case of the petitioner is that the subject property was assigned in her favour through assignment dated 28.09.2017. Thereafter, the lands were not sub-divided and the possession was also not handed over in favour of the petitioner. Therefore, the petitioner submitted a representation, which also did not evoke any response. It is under these circumstances, the present writ petition has been filed.

4. Learned Additional Government Pleader appearing on behalf of the respondents, based on written instructions, received from the third



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respondent submitted that the petitioner has not utilized the land for agricultural purposes and she has violated the assignment conditions and therefore, steps are being taken to cancel the assignment.

5. In reply to the above submission, the learned counsel for the petitioner submitted that even without sub-dividing the land and even without handing over possession of the property, it is not possible for the petitioner to utilize the property for agricultural purposes. Therefore, even without a land being available for agricultural purposes, there is no question of complaining that the petitioner did not use the land for agricultural purposes.

6. Taking into consideration the facts and circumstances of the case and the submissions made on either side, it will suffice if a direction is issued to the respondents 2 and 3 to deal with the representation/application submitted by the petitioner on 08.01.2025 on its own merits and in accordance with law and necessary steps shall be taken within a period of six (6) weeks from the date of receipt of a copy of this order.

N.ANAND VENKATESH, J

gm



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7. If ultimately the respondents are intending to pass any adverse orders against the petitioner, they should be given an opportunity to put forth their defence and thereafter, orders shall be passed.

This writ petition is disposed of in the above terms. No costs.

10.03.2025

Neutral Citation: Yes/No

Index: Yes/no

Speaking Order/Non-Speaking Order
gm

To

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