



W.A.No.2721 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.A.No. 2721 of 2023
and
C.M.P.No.22906 of 2023

V.Seenuvasan (Died)

S.Sivaraman,
S/o.V.Seenuvasan
No.14, Scodar Nagar,
Thindivanam,
Villupuram District.

[suo motu impleaded in this order]

...Appellant

Vs.

1.The Government of Tamil Nadu,
Rep. by its Secretary,
Revenue Department,
Secretariat, Fort St. George,
Chennai – 600 009.

2.The District Collector,
Villupuram District.

3.The Tahsildar,
Villupuram District.

4.Jagadhambal

...Respondents



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PRAYER: The Writ Appeal filed under Clause 15 of the Letters Patent praying to set aside the order dated 19.11.2021 in W.P.No.23235 of 2019.

For Appellant : Mr.V.Raghavachari, Senior Counsel
for Mrs.V.Srimathi

For Respondents : Mr.T.Arunkumar, AGP for R1 to R3

J U D G M E N T

(Judgment of the Court was delivered by S.M.SUBRAMANIAM, J.)

Since it is brought to notice of this Court that original writ petitioner/ appellant Mr.Seenuvasan died one year back and his son/ legal heir Mr.S.Sivaraman, S/o.V.Seenuvasan, No.14, Scodar Nagar, Thindivanam, Villupuram District is present before this Court. He is *suo motu* impleaded as appellant in present intra-Court appeal.

2. Writ Appeal has been instituted to assail writ order dated 19.11.2021 in W.P.No.23235 of 2019.

3. By order dated 09.03.1968, Government land measuring 5 cents was allotted in favour of original appellant (deceased Seenuvasan) on condition. It is a conditional assignment granted under Revenue Standing Orders. Conditions in allotment would indicate that allottee must put up construction within a period of six months from date of allotment. Set back areas are also



contemplated along with other conditions. In event of failure to complete construction within the time line stipulated in the order of allotment or building constructed is not under usage for more than one year, allotment will lapse automatically and allotted site vest with Government. Assignee/ allottee cannot claim any compensation for building constructed by him or for any other loss. All the conditions are binding on parties.

4. Learned Senior Counsel appearing on behalf of appellant would submit that father of appellant constructed a thatched house during relevant point of time and was residing. Therefore, land was utilized within the period of limitation contemplated as condition. Land has been now utilized for laying road to reach Narikuravar colony. Appellant claims that left out portion is to be allotted in his favour.

5. Learned Additional Government Pleader would oppose by stating that as per the condition, allotment lapsed long before. Government took possession of the land and laid road for benefit of people residing in Narikuravar Colony. Question of re-allotment would not arise at all. Since original allottee viz., Seenuvasan violated allotment condition, he cannot claim any further allotment. That apart, appellant or original writ petitioner has not filed any document to establish that they have constructed building within six months from date of allotment in the year 1968. It is contended by learned



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Additional Government Pleader that at the time of laying of road, there was no construction and road laid is under usage and it is the only street available to reach Narikuravar Colony.

6. May that as it be, appellant or father of appellant have not produced any document to establish that construction was put up within a period of six months from the date of allotment i.e., 09.03.1968. That apart, allotment lapsed long before and land has been taken possession by Authorities and road laid for the benefit of people residing in Narikuravar Colony. Therefore, at this length of time grant of re-allotment would not arise at all.

7. Pertinently deceased/ father of appellant was working in District Judiciary and present appellant is also a retired Junior Assistant served in the District Judiciary. Originally land was allotted for the benefit of last grade servants serving in the District Judiciary on condition. Once Authorities found that conditions have been violated and lands are taken over and converted as street for the benefit of people residing in Narikuravar Colony and the said street is under public usage now, this Court cannot issue any direction for re-allotment of the said land or remaining land un-utilized. That apart, at present appellant cannot be considered as landless poor person under Revenue Standing Orders nor eligible to claim house site under any Government schemes. Writ Court also considered the allotment conditions imposed in



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allotment order dated 09.03.1968 and thus there is no infirmity as such.

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8. Learned Additional Government Pleader would submit that encroachment in that locality would be identified and all suitable actions will be initiated to remove the encroachments by following procedures.

9. The Writ Appeal stands **dismissed**. No costs. Consequently, connected miscellaneous petition stands closed.

(S.M.S., J.) (M.S.Q., J.)
07.11.2025

dsa
Index :Yes/No
Neutral Citation :Yes/No
Speaking/Non-speaking order

To

- 1.The Secretary,
Government of Tamil Nadu,
Revenue Department,
Secretariat, Fort St. George,
Chennai – 600 009.
- 2.The District Collector,
Villupuram District.
- 3.The Tahsildar,
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and
MOHAMMED SHAFFIQ, J.

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