



W.P.No.14283 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.14283 of 2025

1.Sellammal
2.Perumal
3.Ramasamy

...Petitioners

Vs.

1.The District Collector,
Office of the Collectorate,
Salem District.

2.The District Revenue Officer,
Salem District,
Salem.

3.The Revenue Divisional Officer,
Salem,
Salem District.

4.The Tahsildhar,
Salem Taluk,
Salem District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Mandamus, directing the respondents to issue in the name of the petitioner for the land in Old S.No.435/1 New Ward AL, Block 44 T.S.No.1 (Part) to an extent of 6080 Sq.ft. situated at Ammapettai Village, Salem Taluk, Salem District by considering the representation of the petitioner dated 27.01.2025 and pass orders.



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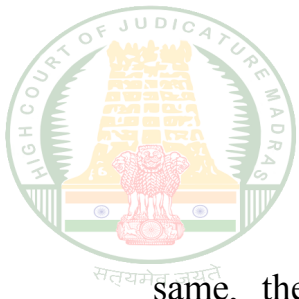
For Petitioners : Mr.M.R.Jothimanian
for Mr.R.Elavarasan

For Respondents : Mr.P.Sathish
Additional Government Pleader
for R1 to R4

ORDER

The present writ petition is filed praying for a writ of mandamus to direct the respondents to issue patta in the name of the first petitioner for the land comprised in Old S.No.435/1, New Ward AL, Block 44 T.S.No.1 (Part) measuring an extent of 6080 Sq.ft. situated at Ammapettai Village, Salem Taluk, Salem District by considering the representation of the first petitioner dated 27.01.2025.

2. It is submitted by the learned counsel for the petitioners that the petitioners' parents were residing in the property comprised in Old S.No.435/1 New Ward AL, Block 44 T.S.No.1(Part) measuring an extent of 3 acres 2 ½ cents. After the demise of petitioners' father, legal heirship certificate was issued in favour of the petitioners and their mother. While so, the Government of Tamil Nadu had issued a Government Order in G.O.Ms.No.272 dated 10.03.1997 assigning the aforesaid property in favour of other Ex-Servicemen, which was in possession and enjoyment of the petitioners and their mother. Aggrieved by the



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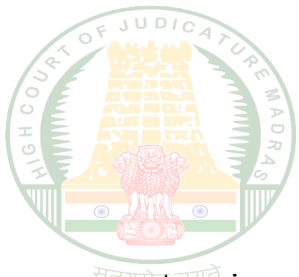
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same, the petitioners' mother and one Palaniammal filed a writ petition in W.P.No.19541 of 1997 challenging the said Government Order. The above writ petition, by order dated 07.03.2007 was disposed of, in view of the statement made by the State that there is no proposal to disturb the possession of the petitioners in respect of the super-structure put up by them and only the remaining properties have been assigned to the Ex servicemen. The relevant portion is extracted hereunder:

"6. Considering the above submissions made on the side of the petitioners as well as on the side of the Government of Tamilnadu, the Court finds that the question of quashing the G.O.Ms.No.272 dated 10.3.1997 does not arise for consideration inasmuch the State of Tamilnadu has unambiguously stated that they have no proposal to disturb the possession of the petitioners in respect of the super-structure put up by them and the remaining properties alone have been assigned to the Ex-servicemen.

7. In view of the above, directing the respondents not to disturb the portion of the subject property in possession of the petitioners, the writ petition stands ordered accordingly."

2.1. After the demise of petitioners' mother, the first petitioner submitted a representation dated 27.01.2025 to the respondents seeking issuance of patta in respect of the subject property. However, the same was not considered till date.



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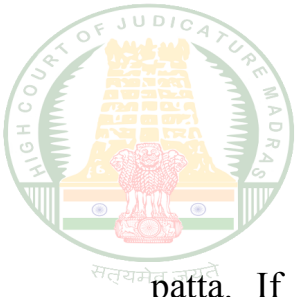
Aggrieved by the same, the petitioner has come before this Court

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2.2. It is submitted by the learned counsel for the petitioners that Aadhar card, Ration card, Voter ID, House tax receipt and Electricity connection stands in the name of the first petitioner in respect of the subject property and she is in continuous possession and enjoyment of the subject property. He further submits that respondents ought to have issued patta in favour of the first petitioner in view of the undertaking recorded in W.P.No.19541 of 1997 dated 07.03.2007.

3. At the outset, it was submitted by the learned Additional Government Pleader for respondents that the application dated 27.01.2025, made by first petitioner would be considered and appropriate orders would be passed, after hearing the petitioners, and any other interested parties, in the light of the order passed in W.P.No.19541 of 1997 dated 07.03.2007, within a time frame to be fixed by this Court, which was agreed to by the learned counsel for petitioners.

4. In view of the same, it is open to the petitioners to place any Standing Order or Government Scheme, which would support the petitioner's claim for



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patta. If any such Standing order or Government Scheme is produced, the respondents shall keep in view the same and the order passed by this Court in W.P.No.19541 of 1997 dated 07.03.2007, while considering first petitioner's application dated 27.01.2025, which would be decided on its own merits and pass appropriate orders, in accordance with law, after affording a reasonable opportunity of hearing to the petitioners, and any other interested persons/stake holders, within a period of eight (8) weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. It is made clear that this Court has not expressed any views with regard to the merits of the case and it is open to the concerned respondent to consider the case on its own merits and in accordance with law.

5. Accordingly, the writ petition stands disposed of. There will be no order as to costs.

20.06.2025

Speaking (or) Non Speaking Order
Neutral Citation: Yes/No
mrn



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To

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MOHAMMED SHAFFIQ, J.

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