



W.P.No.13106 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2025

CORAM

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.13106 of 2018

and

W.M.P.No.15407 of 2018

R.Kandhasamy

.... Petitioner

Vs

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

2.The Revenue Divisional Officer (R.D.O),
O/o. The Revenue Divisional Officer,
Sankari Town & Taluk,
Salem District.

3.The Revenue Thasildhar,
O/o.The Revenue Thasildhar,
Edappadi Town & Taluk,
Salem District.

.... Respondents

Prayer:- Writ Petition filed under Article 226 of Constitution of India for the issuance of Writ of Certiorarified Mandamus, to call for the records of impugned order vide Na.Ka.34369/2016/K3, dated 08.05.2018 issued by the District Collector, Salem, Salem District. The 1st



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respondent herein and quash the same and direct all the respondents herein to hand over the land back to the petitioner in vacant position extent about 0.09 cents in Survey No.175/21 situated in Sevippatti Hamlet, Konasamuththiram Revenue Village and Post, Edappadi Taluk, Salem District.

For Petitioner : Mr.D.Alit Tiger C.Ponnusamy
For Respondents : Mr.G.Velu
Additional Government Pleader

ORDER

This Writ Petition has been filed challenging the order dated 08.05.2018 passed by the first respondent, thereby rejected the request made by the petitioner to demolish the school building constructed in the land comprised in Survey No.175/21, admeasuring 9 cents, situated at Sevippatti Hamlet, Konasauththiram Village, Edappadi, Salem District, and to hand over the same to the petitioner.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner had worked as Village Assistant in Konasamudram Village and retired from service on superannuation on



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31.12.2010. The land comprised in Survey Nos.175/1 to 175/116 were conditionally assigned to Adi Dravidars. Accordingly, necessary entries were made both in the Pre UDR and UDR “A” Registers. Even till today, some persons are in enjoyment of the said lands by doing agricultural operations. Insofar as the land comprised in Survey No.175/21 to an extent of 0.03.5 hectares (9 cents) and the land comprised in S.F.Nos.175/17, 175/19 and 175/20 are concerned, they were not assigned to any individual and continue to remain as Government lands. However, the petitioner claims that his father had acquired the said land in the year 1974, and thereafter, the petitioner derived title over the said property.

4. During the year 2010-2011, the Block Development Officer constructed a Panchayat Union Elementary School under the Sharva Siksha Abhiyan Scheme in the subject land. The local body and the Educational Department had also passed appropriate resolution for the construction of the said school building. Since, the subject land is classified as assessed waste “Tharisu” poramboke and it is vested with Revenue Department.



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5. In view of the above facts, the request made by the petitioner cannot be considered and was rightly rejected by the first respondent. Thus, the writ petition lacks merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. No costs.

19.09.2025

Internet : Yes
Index : Yes/No
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To

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G.K.ILANTHIRAIYAN, J.

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