



W.P.No.13565 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.09.2025

CORAM:

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

W.P.No.13565 of 2019

Ramasamy

... Petitioner

-Vs-

1. The Member Secretary-cum-
Land Reforms Director,
Tamilnadu Bhoomidhan Board,
Ezhilagam,
Chepauk,
Chennai - 600 005.
2. The District Revenue Officer,
Coimbatore District,
Coimbatore.
3. The Tahsildar,
Sulur taluk,
Coimbatore District.
4. M/s Codissia Industrial Park Limited,
represented by its Managing Director,
S.Soundararajan,
having registered Office
at Codissia G.D.Naidu Towers,
Hozur Road, Coimbatore-641 018.
(R4 impleaded as per order
dated 15.09.2025 in
W.M.P.No.25291 of 2023 in
W.P.No.13565 of 2019)

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying



W.P.No.13565 of 2019

for the issuance of a Writ of Certiorari, calling for the records relating to the impugned proceedings passed in Na.Ka.No.7888/17/K1 dated 10.07.2018 on the file of the first respondent herein, quash the same.

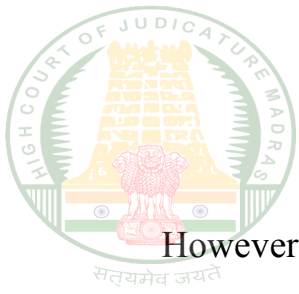
For Petitioner	: Mr.K.Govi Ganesan
For R1 to R3	: Mr.T.Arun Kumar Additional Government Pleader
For R4	: Mr.R.Bharath Kumar

ORDER

This writ petition has been filed challenging the proceedings passed in Na.Ka.No.7888/17/K1 dated 10.07.2018 by the first respondent herein, thereby cancelling the distribution Pathiram issued in favour of the petitioner's father.

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

3. The petitioner's father was issued with Viniyoga Pathiram in respect of the land comprised in S.F.No.12/1 ad-measuring 2.40 acres situated at Moppiripalayam Village, Sulur Taluk, Coimbatore District, by Boomidhan Board vide land distribution deed dated 01.05.1964. The petitioner's father was in possession and enjoyment of the same by cultivating various crops. While being so, on 12.08.1989 his father died. Thereafter, the petitioner, being the son of the deceased Ranga Pannadi was in possession and enjoyment of the same.



W.P.No.13565 of 2019

However, the petitioner failed to cultivate the same for the past several years. It

was kept vacant. Therefore, the petitioner's father was issued with show cause notice dated 23.05.2017 in the name of the petitioner's father stating that why the Viniyoga Pathiram should not be cancelled for the reason that no one was found in possession and enjoyment of the subject land and it was kept as barren land for the past ten years. However, the show cause notice was received by the petitioner and failed to reply. Therefore, the Viniyoga Pathiram was cancelled and subsequently, allotted in favour of the fourth respondent by payment of twice the land value and also provided equivalent alternative land.

4. The learned counsel for the petitioner would submit that the petitioner had received the show cause notice and submitted objections. However, it was not considered by the first respondent and it mechanically cancelled the Viniyoga Pathiram issued in favour of the petitioner's father. In fact, even before cancellation of the Viniyoga Pathiram, on 26.04.2018 itself, the respondents decided to cancel the Viniyoga Pathiram and resolved to allot the subject property in favour of the fourth respondent.

5. Further, as per Section 19(1) of the Tamil Nadu Bhoodhan Yagna Act, 1958 (herein after called "the Act), the State Board may, in the manner



W.P.No.13565 of 2019

prescribed and as far as possible taking into consideration the wishes of the donor, grant any land which has vested in it to a landless poor person who is able and willing to cultivate the land or to the Government or a local authority for community purposes or Sarvodaya Panchayat and the grantee of the land shall acquire therein such rights and liabilities and subject to certain conditions. Now, the subject land is allotted in favour of the fourth respondent for commercial purpose. It is against the provision of 19(1) of the Act.

6. A perusal of the counter filed by the second respondent and on the submissions made by the learned Additional Government Pleader appearing for the respondents 1 to 3 revealed that on inspection, it was found that the subject land was kept vacant without any cultivation. Therefore, the petitioner's father was issued with a show cause notice dated 23.05.2017 and the same was duly received by the petitioner.

7. A perusal of the show cause notice revealed that the petitioner has to submit objections within a period of 7 days from the date of receipt of the show cause notice, failing which the Viniyoga pathiram issued in favour of the petitioner's father will be cancelled. The petitioner had duly received the show cause notice and failed to submit any objection. Further, on 26.04.2018, the case



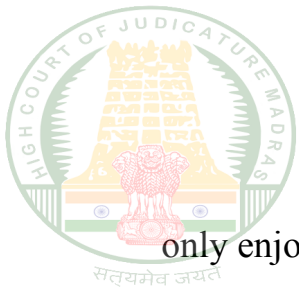
W.P.No.13565 of 2019

was placed before the Board Meeting and it resolved to cancel the allotment and

to allot the subject land in favour of the fourth respondent on payment of double of market value, with a condition that the title of the land remain in the name of the Bhoodan Board. Accordingly, on 10.07.2018, the first respondent cancelled the Viniyoga Pathiram issued in favour of the petitioner's father and allotted the subject land in favour of the fourth respondent herein. Accordingly, the fourth respondent had also paid double the market value and also provided equivalent alternative site in favour of the Bhoodan Board.

8. Further, a perusal of Section 19(3) of the Act, revealed that notwithstanding anything contained in this section, the Government may, on the recommendation of the State Board, grant any land vested in that Board, to any person or institution, for any public purpose, subject to such conditions as they deem fit, after collecting double the market value of such land.

9. Therefore, after cancelling the Viniyoga Pathiram, the subject land can be allotted to any person or institution. Accordingly, the subject land was now allotted in favour of the fourth respondent that too with a condition that the title of the land premises remains in the name of the Bhoodan Board. Therefore, no ownership of the subject land is transferred and in fact, the Act itself provides



W.P.No.13565 of 2019

only enjoy of the land. That apart, the fourth respondent had already paid double the market value of the subject land and also provided alternative equivalent land. Thereafter, the fourth respondent made an industrial layout and also gifted some portion of the land in favour of the municipalities and localities. In fact, the petitioner had also once again challenged the very same order passed by the first respondent which is impugned in this writ petition by way of another writ petition in W.P.No.29733 of 2025 and the same was dismissed as withdrawn by an order dated 18.08.2025.

10. In view of the above, this Court finds no infirmity or illegality in the proceedings passed in Na.Ka.No.7888/17/K1 dated 10.07.2018 by the first respondent herein and the writ petition is devoid of merits and is liable to be dismissed.

11. Accordingly, this writ petition stands dismissed. No costs.

15.09.2025
(2/2)

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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W.P.No.13565 of 2019



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W.P.No.13565 of 2019

G.K.ILANTHIRAIYAN. J.

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To

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