



W.P.No.21789 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

**W.P.No.21789 of 2024 and
W.M.P.No.23778 of 2024**

Bakhiyaraj

... Petitioner

Vs.

1. The District Collector,
Perambalur District.

2. The Revenue Divisional Officer,
Kunnam,
Perambalur District.

3. The Village Administrative Officer,
Pudhuvettankudi Village,
Kunnam Taluk,
Perambalur District.

4. The Tahsildar,
Kunnam,
Perambalur District.

5. Mariyammal

... Respondents

(R5 impleaded vide order dated 18.06.2025 made in
W.M.P.No.5708 of 2025 in W.P.No.21789 of 2024 by MSQJ)



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PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of writ of mandamus, to direct the respondents to grant patta for the petitioner in lands other than land situated in Survey No.137 in Pudhuvettankudi Village, Kunnam Taluk, Perambalur District.

For Petitioner : Mr.S.Ramachandran
For Respondents : Mr.P.Sathish
Addl. Govt. Pleader for R1 to R4
Mr.G.Prabhu for R5

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the official respondents to grant patta to petitioner in lands other than the lands comprised in Survey No.137, situated at Pudhuvettankudi Village, Kunnam Taluk, Perambalur District.

2. The primary reason for filing the present writ petition is that, according to petitioner, the land allotted to him in Survey No.137 situated at Pudhuvettankudi Village, Kunnam Taluk, Perambalur District, is a river bed area including water body and thus, seeks for assignment of some other land.



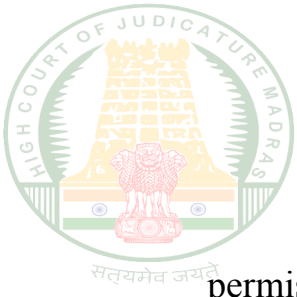
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3. Learned Additional Government Pleader appearing for respondents 1 to 4 would submit that the present allotment is under Adi Dravidar Welfare Scheme. The fourth respondent has now filed a counter affidavit, wherein, *inter alia*, it is stated as follows:

"Another contention of the Petitioner is that the said S.no.137 is a river bed and even the said contention is false, I state that S.No.137 has various patta holders and Government Poromboke Thoppu and Natham lands and it was never a river bed, the Petitioner has filed the present Writ Petition to make sure that he utilizes the entire S.No.137/13, 14, 15 as his own property."

4. Reliance was also sought to be placed on the 'A' Register wherein Survey No.137/13 is shown as Tharisu Thoppu. It was thus submitted by learned Additional Government Pleader that contention of petitioner that the land allotted to petitioner is a water body is contrary to the revenue records. He would assure before this Court that the petitioner would not be provided with patta over any water body as it is not legally



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permissible and would submit that petitioner may submit a fresh representation for allotment of land under Adi Dravidar Welfare Scheme, which was agreed to by learned counsel for petitioner.

5. In the circumstance, it is open to the petitioner to submit a fresh representation seeking allotment of land under the Adi Dravidar Welfare Scheme. On such representation being made, concerned respondent shall pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of such representation, after putting petitioner, fifth respondent and other interested parties including rival claimants, if any, on notice. It is made clear that this Court has not expressed any view with regard to the merits of the case and it is open to concerned respondent to consider the case on its own merits and in accordance with law.

6. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.



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NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

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MOHAMMED SHAFFIQ, J.

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