



WEB COPY

WA No. 1811 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-04-2025

CORAM

THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HONOURABLE MR.JUSTICE K.RAJASEKAR

WA No. 1811 of 2024

and

CMP.No.12998 of 2024

1. The Secretary To Government
Revenue Department,
Government of Tamil Nadu,
Fort St George, Chennai-09

2.The District Collector
Salem District,
Salem

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

4.The Thasildar,
Edappadi Taluk, Edappadi,
Salem District

Appellant(s)

Vs

1. N.Rajendran
S/o.Nattarayan,



Amman Koil Street,
Chettimankurichi Village and Post,
Edappadi Taluk, Salem District

WEB COPY

Respondent(s)

PRAYER

To set aside the order dated 13.07.2022 made in WP.No. 6429 of 2017.

For Appellant(s): Mr.Vadivelu Deenadayalan
Additional Government Pleader

For Respondent(s): Mr.P.V.Balasubramanian
Senior Counsel
for Mr.S.Arivazhagan

JUDGMENT

(Judgment of the Court was made by S.M.Subramaniam J.)

Under assail is the Writ order dated 13.07.2022 passed in W.P.No.6429 of 2017.

2. The land assigned in the favour of the petitioner by the Government under Ex-Servicemen quota was cancelled on the ground that the appellant has failed to establish his identity as Ex-Servicemen by producing necessary documents. That apart, the impugned order cancelling the assignment reveals that the appellant has produced false documents for securing assignment of Government land. Therefore, he is not entitled to avail the benefit of assignment of land under the Ex-Servicemen quota as per the Revenue Standing orders.



3. Learned counsel for the respondent would mainly contend that the petitioner served as a Soldier in the Indian Defence Services. However, the pleadings itself raises a doubt, since the respondent has not stated the clear particulars about the services rendered by him in the Indian Army and his cadre. In the absence of providing clear details regarding the services rendered by a person in the Indian Army, the Government cannot entertain an application for assignment of the Government lands under the Ex-Servicemen quota, as per the Revenue Standing Orders.

4. Assignment of land under the Revenue Standing Orders cannot be claimed as an absolute right. It is a concession granted by the Government to Ex-Servicemen. A concession cannot be equated to a right. In the present case, it is a conditional assignment, admittedly. That being so, the respondent is bound to establish his eligibility as per the Revenue Standing Orders. In the event of failure to establish the identity or comply with the eligibility criteria, the Government is empowered to cancel the assignment. Therefore, in this case, this Court do not find any infirmity in respect of the Government order cancelling the assignment of Government lands.

5. On account of the fact that the market value of the lands are sky rocketing, the Government is expected to be cautious in assigning land at free of cost under the Revenue Standing orders. That apart, it is found that the respondent is owning other properties. Therefore, he is not eligible to avail the



benefits of assignment of Government lands under the Ex-Servicemen quota.

For all these reasons, the respondent is found to be ineligible to secure assignment under the Ex-Servicemen quota.

6. The appellant/competent authorities are directed to resume the land and utilise the same for public purposes.

7. Thus, the Writ order dated 13.07.2022 made in WP.No. 6429 of 2017 is set aside. Accordingly, the Writ Appeal is allowed. No costs. Consequently, the connected Miscellaneous Petition is closed.

(S.M.SUBRAMANIAM J.)(K.RAJASEKAR J.)

08-04-2025

gd

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



WA No. 1811 of 2024



To
WEB COPY

1.N.Rajendran
S/o.Nattarayan, Amman Koil Street,
Chettimankurichi Village and Post,
Edappadi Taluk, Salem District



WEB COPY

WA No. 1811 of 2024



**S.M.SUBRAMANIAM
J.
AND
K.RAJASEKAR J.**

gd

WA No. 1811 of 2024

08-04-2025