



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2025

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CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ**

**WA No. 3423 of 2025
and
CMP No. 27966 of 2025**

- 1.The District Collector
Namakkal, Namakkal District.
- 2.The District Backward Class and
Minority Welfare Officer
District Backward Class and Minority
Welfare Office, Namakkal, Namakkal
District.
- 3.The Revenue Divisional Officer
Office of the Revenue Divisional
Officer, Namakkal, Namakkal District.
- 4.The Special Tashildar (ADW)
Office of the Special Tashildar,
Namakkal, Namakkal District.

Appellant(s)

Vs



Respondent(s)

WEB PRAYER

Writ Appeal filed under Clause 15 of Letters Patent, to set aside the order dated 27.06.2024 made in W.P.No.12021 of 2024 and thus render justice.

For Appellant(s): Mr. T.Arun Kumar
Additional Government Pleader

For Respondent(s): Dr.R.Gouri

J U D G M E N T

(Judgment was delivered by S.M.Subramaniam J.)

The assignment patta was issued to the respondent/2nd writ petitioner in the year 2000. It is the conditional assignment made and lands are allotted at free of cost, for construction of house for residential purpose. The Government lands allotted at free of cost, cannot be utilised for any other purpose other than the purpose for which it was allotted under the Revenue Standing Orders. The conditional assignment states that residential houses must be constructed within a period of six months from the date of allotment, with setback areas as stated in the assignment order. In the event of violation of any of the assignment conditions, the order of assignment will be cancelled and the Government land will be resumed. Accepting the said condition, the



respondent secured assignment of Government land at free of cost.

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2. The competent authorities during inspection found that the respondent/2nd writ petitioner is not a landless poor person and she is residing in some other place. The lands allotted have not been utilised for residential purpose and a small thatched hut was constructed by the respondents/writ petitioners, in order to show that the assignment conditions have been complied with.

3. In this regard, the learned Additional Government Pleader appearing on behalf of the appellants would submit a copy of the written instructions given by the District Backward Classes and Most Backward Classes Welfare Officer to the Government Pleader, dated 07.11.2025. Along with the instructions, photographs also enclosed. The District Backward Classes Welfare Officer would submit that the respondents/writ petitioners are not residing in the land assigned to them and they are residing in their own houses in another place and the photograph of the said house also would show that it is a pucca concrete building, constructed in ground floor and first



floor.

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4. The learned counsel for the respondent/2nd writ petitioner would oppose by stating that the conditions stipulated in the assignments have been complied with. That apart, on the date of assignment, the respondent was considered as landless poor persons and therefore, the assignment is sustained by the Writ Court.

5. This Court is of the considered view that the assignment granted in the name of the respondent was cancelled and it was reassigned in favour of some other eligible persons by the Special Tahsildar, Namakkal. The instructions as well as photographs furnished by the learned Additional Government Pleader would show that the respondent is not residing in the assigned land and the authorities while conducting field inspection found that the respondent is residing in another place in their own building. Since the assignment conditions have been violated and the Government lands are already resumed and reassigned to other eligible persons, the writ order impugned cannot be sustained. Consequently, the writ order dated



27.06.2024 passed in W.P.No.12021 of 2024, is set aside and the Writ Appeal

stands allowed. No costs. Connected Miscellaneous Petition is closed.

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(S.M.SUBRAMANIAM J.)(MOHAMMED SHAFFIQ J.)

11-11-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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AND
MOHAMMED SHAFFIQ J.**

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