



W.A.Nos.3419 & 3420 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2025

CORAM

THE HON'BLE Mr. JUSTICE S.M.SUBRAMANIAM
AND
THE HON'BLE Mr. JUSTICE MOHAMMED SHAFFIQ

W.A.Nos.3419 & 3420 of 2025

AND

C.M.P.Nos.27938 & 27939 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
O/o.The Revenue Divisional Officer
Namakkal
Namakkal District

4.The Special Tahsildar (ADW)
O/o.The Special Tahsildar
Namakkal
Namakkal District

.. Appellants

Vs.



W.A.Nos.3419 & 3420 of 2025

C.Jothi

.. Respondent in

WA.3419/25

R.Mahalakshmi

.. Respondent in WA.3420/25

Writ Appeals filed under Clause 15 of the Letters Patent challenging the order dated 27.06.2024 passed in W.P.Nos.12025 and 12016 of 2024, respectively.

For Appellants
in both WAs

: Mr.T.Arunkumar
Additional Government Pleader

For Respondent
in both WAs

: Dr.R.Gowri

COMMON JUDGMENT

(Delivered by S.M.SUBRAMANIAM, J.)

Admittedly, assignment patta was issued to the respondents/writ petitioners 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

2\6



W.A.Nos.3419 & 3420 of 2025

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 respondents/writ petitioners secured assignment of Government land at free of cost.

2. The competent authorities during inspection found that the respondents/writ petitioners are not landless poor persons and they are residing in some other place. The lands allotted have not been utilised for residential purpose and a small thatched hut has been 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



W.A.Nos.3419 & 3420 of 2025

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.

4. The learned counsel for the respondents/writ petitioners would oppose by stating that the conditions stipulated in the assignments have been complied with. That apart, on the date of assignment, the respondents/writ petitioners were 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 respondents/writ petitioners 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 respondents/writ petitioners are not residing in the assigned land and the authorities while conducting field inspection found that the respondents/writ petitioners are residing in another place in their



W.A.Nos.3419 & 3420 of 2025

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.Nos. 12025 and 12016 of 2024, is set aside and these Writ Appeals stand allowed. No costs. Connected C.M.Ps are closed.

(S.M.S,J.) (M.S.Q, J.)
10.11.2025

Index : Yes
Neutral Citation : Yes/No
gya



WEB COPY



W.A.Nos.3419 & 3420 of 2025
S.M.SUBRAMANIAM, J.
AND
MOHAMMED SHAFFIQ, J.

gya

W.A.Nos.3419 & 3420 of 2025

10.11.2025