



W.P.No.32137 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.32137 of 2019
and W.M.P.No.32421 of 2019

1. R.Lakshmi
2. R.Viswanathan
3. R.Vadivel
4. R.Sasikumar

... Petitioners

-Vs-

1. The Secretary to Government,
Revenue and Disaster Management Department,
3(2) Section, Fort.St.George,
Chennai-9.
2. The Principal Secretary/ Land Commissioner,
Land Reforms Department,
Chepauk, Chennai-5.
3. The District Collector,
Erode District,
Erode.
4. The District Revenue Officer,
Erode, Erode District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, calling for the entire records relating to the Impunged G.O issued by the first respondent in G.O.3(D) No.6, Revenue and Disaster Management Department (Nilamudivu unit Nilamudivu 3(2) Section dated 12.01.2018 and quash the same and



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consequently directing the third respondent to issue patta to the Petitioner and his mother R.Lakshmi and his brothers R.Viswanathan and R.Sasikumar in respect of land situated in S.No.737, Arachalur B Village, Modakurichi Taluk, Erode District to the Extent of 3.80 Acres.

For Petitioners : M/s S.Pawithra
for Mr.C.Prakasam
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader

ORDER

This writ petition has been filed challenging the order passed by the first respondent dated 12.01.2018, thereby rejecting the request made by the petitioners for issuance of patta for the land comprised in S.No.737 to an extent of 3.80 acres situated at Arachalur B-Village, Modakurichi Taluk, Erode.

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

3. The first petitioner's husband and the father of the respondents 2 to 4 herein was in possession and enjoyment of the land comprised in S.No.737, to an extent of 3.80 acres situated at Arachalur B-Village, Modakurichi Taluk, Erode, which is classified as Mandai Poromboke. They had submitted an application for the subject land for issuance of patta. Though the Panchayat had no objection for release of the said land from Panchayat and issue patta in



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favour of the petitioners, the request made by the petitioners was rejected. The

second respondent, sent a communication dated 29.08.2000 to the first respondent to pass appropriate orders for making assignment in respect of the subject land in favour of the first petitioner's husband. However, it was not considered and as such, the petitioners approached this Court by way of a writ petition in W.P.No.4560 of 2013 for re-classification of Anathinam land. This Court, by an order dated 25.11.2016, directed the first respondent to consider the representation submitted by the petitioners. However, it was rejected by an order dated 12.01.2018.

4. A perusal of the counter affidavit filed by the third respondent and on the submissions made by the learned Additional Government Pleader appearing for the respondents revealed that the first petitioner's husband encroached the land comprised in S.No.737, to an extent of 1.54.0 hectares. situated at Arachalur B-Village, Modakurichi Taluk, Erode, which is being classified as Mandai Poromboke. On the request made by the first petitioner's husband for assignment of the subject land, as per the report submitted by the Assistant Director (Animal Husbandry), Erode, the property is covered and continuously used as Mandai Poromboke. The general public also raised objections for transfer and assignment of the subject land. Therefore, it is highly objectionable



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for granting assignment and the Revenue Department also negated the request

made for assignment.

5. As per the Revenue Standing Order 15(5), what lands may be assigned and what may not:- only land, the assignment of which is unobjectionable shall be assigned. Such lands may be assigned to individuals where they are in isolated bits or in compact blocks. Lands acquired for communal purposes shall not be assigned. Grazing ground porombokes shall not be assigned unless there is sufficient grazing ground (other than Panchayat and Reserved Forests) available to serve the needs of cattle, without specific orders from the Government. Further, the Hon'ble Division Bench of this Court in ***W.P.No.19286 of 2021 dated 02.02.2022*** held that conversion of Meikaal Poramboke and Mandaiveli land in the State of Tamil Nadu is not possible and directed the revenue officials not to convert those lands for regularization of encroachment. Therefore, the conversion of land cannot be permitted unless equivalent area is identified and earmarked for such purpose. Further, the unauthorized encroachment in the grazing land is not permissible. Hence, the request made by the petitioner was rightly rejected.

6. In view of the above, this Court finds no infirmity or illegality in the



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order passed by the first respondent in G.O.3(D) No.6, Revenue and Disaster

Management Department (Nilamudivu unit Nilamudivu 3(2) Section dated 12.01.2018 and the writ petition is devoid of merits and is liable to be dismissed.

7. Accordingly, this writ petition stands dismissed. Consequently, connected Miscellaneous petition is closed. No costs.

22.09.2025
(2/2)

Internet: Yes
Index : Yes/No
Neutral Citation: Yes/No
Speaking/Non Speaking order
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G.K.ILANTHIRAIYAN. J.

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To

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