



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-03-2025

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CORAM

**THE HONOURABLE MR JUSTICE S. M. SUBRAMANIAM
AND
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

WA No. 61 of 2025

- 1.Thiru.K.Arunachalam
- 2.Thiru.R.Sakthivel
- 3.Thiru.K.Beer Mohammed
- 4.Tmt. Sambooranam

Appellant(s)

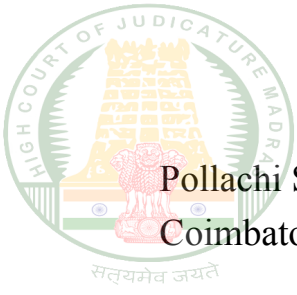
Vs

1.State Of Tamilnadu,
Rep. By Its Secretary, Department Of
Revenue, Secretariat, Fort St. George,
Chennai -600 009.

2.Commissioner,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai -600 005.

3.District Collector,
Coimbatore District, Coimbatore.

4.Revenue Divisional Officer And
Assistant Commissioner (L.Reforms),



Pollachi Sub-division,
Coimbatore District.

WEB 5. Tahsildar,
Pollachi Taluk,
Coimbatore District.

Respondent(s)

WA No. 61 of 2025

PRAYER

To set aside the impugned order dated 04-06-2024 passed by the Court in WP.No.12606/2024.

WA No. 61 of 2025

For Appellant(s): Mr..R.Arumugam

For Respondent(s): Mr.A.Selvendran SGP For R1 To
R5

ORDER

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

Under assail is the writ order dated 04.06.2024 passed in WP.No.12606 of 2024. The writ petitioners are the appellants before this Court. The appellants have been assigned the government lands by Sub Collector, Pollachi in proceedings dated 28.09.2017. The assignment of the surplus land was made under Section 94 of the Tamil Nadu Land Reforms (Fixation and Ceiling on Land) Act, 1961.

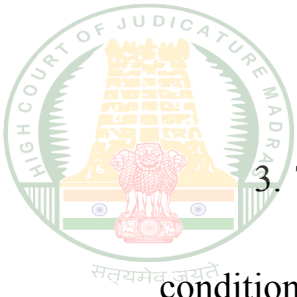


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2. Clause 6 of the assignment condition reads as under:

“6. The land assigned shall not be sold or otherwise alienated before the expiry of a period of twenty years from the date of assignment or before the payment of the value of the land and buildings and trees thereon in full, whichever is later and not even thereafter in respect of lands assigned to a member of Scheduled Castes or to a member of Scheduled Tribes except to other members of the Scheduled Castes or to the other members of the Scheduled Tribes as the case may be :

Provided that the land may be hypothecated Government under the Land improvement Loans Act, 1883 (Central Act XX of 1883) and the Agricultural Loans Act, 1884 (Central Act II of 1884) or to a co-operative institution or a scheduled bank authorised by the Government for affording credit to the agriculturists under the schemes of institutional financing of agricultural credits as security for loans obtained for improvement to the lands.”



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3. The writ petition has been filed to delete Clause 6 of the assignment conditions. The learned Single Judge elaborately considered the issues with reference to the facts and dismissed the writ petition.

4. Surplus Government lands are assigned to landless poor people to protect their livelihood. In the present case, the assignment was cancelled on account of violations under the Revenue Standing Orders (RSO).

5. The Revenue Standing Order imposes conditions for assignment of Government lands, and such assignments do not confer title or absolute right to alienate the property. All assignments are subject to the conditions stipulated in the assignment order and the RSO applicable.

6. In the present case, the assignment includes conditions to maintain the Government lands, which the appellants accepted upon taking possession. That being so, the writ petition filed seeking deletion of Clause 6 of the assignment conditions is untenable and not convincing. Thus, this Court finds no reason to



interfere with the writ order impugned and consequently, the Writ Appeal stands dismissed. There shall be no order as to costs.

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

19-03-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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**S.M.SUBRAMANIAM
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AND
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