



W.P.(MD).No.9279 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.07.2025

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD).No.9279 of 2023

V.C.Manoharan

... Petitioner

Vs.

1.The District Collector,
O/o.Collectorate,
Ramanathapuram District.

2.The District Revenue Officer,
District Revenue Office,
Ramanathapuram.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Ramanathapuram.

4.The Tahsildar,
Tahsildar Office,
Kadaladi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Mandamus, directing the respondents to consider petitioner's representation dated 27.02.2023 and consequently direct the respondents to issue patta to the petitioner in Survey No.459/105 with an extent of 0.00.50 sq.m at Sayalkudi village, Kadaladi Taluk, Ramanathapuram District and Survey No.459/8 at Sayalkudi, Kadaladi Taluk, Ramanathapuram District.



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For Petitioner : Mr.R.Senthil Kumar

For Respondents : Mr.M.Gangatharan
Government Advocate

ORDER

The Writ Petition is filed seeking a direction to the respondents to consider the representation of the petitioner dated 27.02.2023 and consequently, direct the respondents to issue patta to the petitioner in respect of the property situated in Survey Nos.459/105 and 459/8 in Sayalkudi village, Kadaladi Taluk, Ramanathapuram District.

2. According to the petitioner, the land to an extent of 0.00.50 sq.m in Survey No.459/105 was assigned in his favour by the order passed by the Tahsildar, Kadaladi dated 05.10.2000. The petitioner has been enjoying the said property along with larger extent of property in Survey No.459/8 for more than 15 years. Based on his possession, the petitioner submitted a representation before the fourth respondent seeking issuance of patta. The same has not been considered. Hence, the petitioner has come before this Court.

3. The fourth respondent herein filed counter affidavit and opposed the prayer on the ground that the property situated in Survey No.459/8 is classified



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as 'Village Natham' and the same is a Government land. Therefore, the petitioner has no right over the same.

4. The petitioner claims that he is in possession of land situated in Survey No.459/8. Therefore, according to the petitioner, he is in occupation of the Natham land. The Government has no right over the occupied Nathams. It is very well settled that in respect of occupied Nathams, the Government has no right or title. In this regard, reference may be had to decisions of Division Bench of this Court in ***Dharmapura Adhinam Mutt Vs. Raghavan and another*** reported in ***2012 (1) CTC 280*** and ***the Executive Officer, Kadathur Town Panchayat, Harur Taluk Vs. V.Swaminathan*** reported in ***2004 (3) CTC 270***. Therefore, the averment raised in the counter affidavit of the fourth respondent that the subject property in Survey No.459/8 is a Government land and therefore, the petitioner cannot claim any right over the same is not acceptable to this Court.

5. Based on his occupation, the petitioner submitted a representation before the fourth respondent seeking issuance of patta. If the fourth respondent is not competent to consider the request of the petitioner for issuance of patta for larger extent of nearly 50 cents in Survey No.459/8, it is for him to forward the representation to the competent authority, namely, the Commissioner of



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Land Administration within a period of two (2) weeks from the date of receipt of a copy of this order. The said authority shall consider the representation of the petitioner and pass final orders on its own merits within a further period of twelve (12) weeks.

6. With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs. Registry is directed to mark a copy of this order to the Commissioner of Land Administration.

14.07.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
Lm

To

1. The District Collector,
O/o. Collectorate,
Ramanathapuram District.
2. The District Revenue Officer,
District Revenue Office,
Ramanathapuram.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Ramanathapuram.
4. The Tahsildar,
Tahsildar Office,
Kadaladi.



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Copy to:

The Commissioner of Land Administration,
2nd Floor, Ezhilagam, Chempauk,
Chennai – 600 005.



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S.SOUNTHAR,J.

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