



**W.P(MD)No.10307 of 2025**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 01.07.2025**

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**CORAM:**

**THE HONOURABLE MRS.JUSTICE S.SRIMATHY**

**W.P(MD)No.10307 of 2025**

**and**

**W.M.P.(MD)No.7690 of 2025**

P.Ravichandra Prakash

... Petitioner

Vs.

1. The Revenue Divisional Officer,  
Sankarankovil Revenue Divisional Office,  
Sankarankovil Taluk,  
Thenkasi District.

2. The Tahsildar,  
Taluk Office,  
Sankarankovil Taluk,  
Thenkasi District.

...Respondents

**PRAYER :** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorari/Mandamus, to call for records pertaining to the order passed by the 1st respondent in Na.Ka.Aa2-297-2025 dated 25.03.2025 and to quash the same as illegal and consequently, to direct the respondents 1 and 2 to grant no objection certificate to the petitioner for lands bearing SF.No.211/3, 211/5 and 211/6, 209/7, 210/1C, 210/1D, 210/D, 211/1 in patta No.5355 situated at Kurukkalpatti Village, Sankarankovil Taluk, Tenkasi District, for constructing school building.

For Petitioner : Mr.K.Balasundaram  
Senior Counsel  
for M/s.KBS Law Office

For Respondents : Mr.M.Lingadurai  
Special Government Pleader



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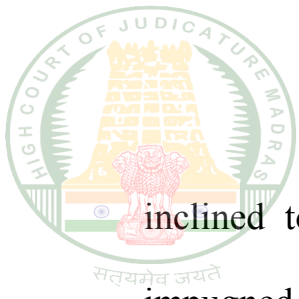
## **ORDER**

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The present Writ Petition has been filed for the issuance of a writ of Certiorarified Mandamus, to quash the order passed by the 1st respondent in Na.Ka. Aa2-297-2025 dated 25.03.2025 and consequently, to direct the respondents 1 and 2 to grant no objection certificate to the petitioner for lands bearing SF No.211/3, 211/5 and 211/6, 209/7, 210/1C, 210/1D, 210/D, 211/1 in patta No.5355 situated at Kurukkalpatti Village, Sankarankovil Taluk, Tenkasi District for constructing school building.

2.The petitioner has purchased the property from the owner Subramaniya Thevar. The petitioner's vendor was granted assignment for agriculture purpose. Originally, the land was classified as Anaadheenam. Subsequently, it was settled to the petitioner's vendor under paid assignment order. The vendor has paid the cost to the land. While assigning the said the land, certain conditions were imposed. One of the conditions is that the vendor shall not sell the property until 10 years. The vendor shall use the same for agriculture purpose. In case after 10 years, the vendor is intending to sell the property, he should obtain prior permission from the respondents.

3.In the present case, the petitioner's vendor has not obtained prior permission before selling the property. For this reason, the respondents were not



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inclined to grant no objection certificate to the petitioner's land through the impugned order.

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4.The 1st respondent has filed a counter affidavit stating that as per the field inspection and on the basis of the report submitted by the 2nd respondent it is found that the writ petitioner has purchased several pieces of land from various pattadars and as far as S.Nos.213/3, 213/5 and 213/6 is concerned the same was earlier classified as Anaadheenam lands and were subsequently subdivided and assigned in the year 1987 to one Mr.Subramanian 0.60.00 Ares and Pitchaiah 0.58.00 Ares and Shanmugaiah 0.52.00 Ares. The documents registered in Melaneelihanallur Sub-Registrar office shows that the assigned lands have been sold in the year 2006 without obtaining prior permission from the Revenue Divisional Officer. The condition of the assignment is that the assigned properties cannot be sold within 10 years of assignment and even if the assignee wishes to sell the same, the same cannot be done without the permission of the Revenue Divisional officer as per G.O(Ms)No.2485. Revenue Department, dated 09.11.1978. Thereafter, the lands devolved into various names and the present petitioner seems to have purchased the same in the year 2022. The assigned lands in 211/3, 211/5 and 211/6 were assigned to the assignees with conditions among others that the assigned lands should be used only for agriculture and not for other use and the lands should not be sold even after the expiry of 10 years without



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permission of the Revenue Divisional officer. Now the said assigned lands have been sold to other persons dehors to the conditions of assignment and the same has been purchased by the present writ petitioner and the said lands have been cited as approach lands to reach the other lands of the petitioner and the petitioner has sought NOC to build a school.

5.The contention of the petitioner is that the other conditions were complied with and only prior permission has not been obtained. As on date, it is seen that the respondents have not cancelled the patta but has initiated the proceedings to cancel the patta.

6.Therefore, this Court is inclined to entertain the writ petition for a sole reason that as on date, the assignment was not cancelled. Further, it is only for the purpose of not obtaining prior permission. If there is no prior permission, there is another opportunity to the petitioner to seek ratification. Therefore, the said reason is not convincing. However, the respondents shall conduct an enquiry and pass orders as per law and also consider for ratification. Until then, the petitioner is entitled to retain the land and also entitled to seek no objection certificate as well.

7.Therefore, the impugned order is quashed and the respondents shall



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conduct enquiry for ratification and consider for issuing "No Objection Certificate" within a period of 8 weeks from the date of receipt of a copy of this order.

8. With the above observations, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

**01.07.2025**

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

Tmg

To:

1. The Revenue Divisional Officer,  
Sankarankovil Revenue Divisional Office,  
Sankarankovil Taluk,  
Thenkasi District.
2. The Tahsildar,  
Taluk Office,  
Sankarankovil Taluk,  
Thenkasi District.



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**S.SRIMATHY, J.**

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**ORDER MADE IN  
W.P(MD)No.10307 of 2025**

**DATED : 01.07.2025**