



W.P(MD)No.15327 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.06.2025

CORAM:

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM
AND
THE HONOURABLE DR.JUSTICE A.D.MARIA CLETE**

**W.P(MD)No.15327 of 2025
and
W.M.P.(MD) No.11581 of 2025**

Anjalai

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Pudukkottai, Pudukkottai District.

2.The Tahsildar,
Karambakkudi Taluk,
Pudukkottai District.

3.The Revenue Inspector,
Malaiur Pirka,
Karambakkudi Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein from in any manner not to dispossess the petitioner and her family from the land comprised in Survey No.273/1 situated at Karu North Street Revenue Village, Kanniyarkollai Village,



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Karambakudi Taluk, Pudukottai District without considering the order of the 1st respondent made in Ni.Mu.A4/5747/2023, dated 30.09.2024 and the petitioner's explanation dated 08.05.2025.

For Petitioner : Mr.K.C.Maniyarasu
For RR1 to 3 : Mr.J.Ashok
Additional Government Pleader

ORDER

[Order of the Court was made by S.M.SUBRAMANIAM, J.]

The writ on hand has been instituted to direct the respondents not to dispossess the petitioner and her family from the land comprised in Survey No.273/1 situated at Karu North Street Revenue Village, Kanniyarkollai Village, Karambakudi Taluk, Pudukottai District without considering the order of the first respondent made in Ni.Mu.A4/5747/2023, dated 30.09.2024 and the petitioner's explanation dated 08.05.2025.

2. Admittedly, the petitioner is an encroacher and is in occupation of Government land. Section 7 notice under the Tamil Nadu Land Encroachment Act, 1905 has also been issued to the petitioner.



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3. The learned counsel for the petitioner would submit that the Revenue Divisional Officer, Pudukkottai passed an order on 30.09.2024 stating that the unused Government lands will be given in favour of the landless poor people.

4. In order to grant free house site patta, the authorities are bound to ascertain the indigent circumstances of the family in terms of R.S.O. 21. That apart, the application seniority, eligibility, etc., as contemplated under the Scheme and R.S.O. 21, are to be scrupulously followed by the authority. Thus, Courts cannot interfere and grant relief to issue free house site patta, which will result in causing prejudice to either persons, who all are longing to secure free house site patta under the Government welfare schemes. Thus, the respondents are at liberty to proceed with the enforcement actions already initiated by issuing notice under Section 7 of the Tamil Nadu Land Encroachment Act. The petitioner is also at liberty to submit her explanation/defence, if not submitted earlier. Thus, the authorities shall pass orders under Section 6 of the said Act and thereafter, remove the encroachments. However, the case of the



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petitioner is also to be considered for grant of free house site patta along with all other persons in the order of seniority and by ascertaining the eligibility criteria and by strictly following the terms and conditions in R.S.O. 21.

5. With the above liberty, this Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

[S.M.S., J.] [A.D.M.C., J.]
05.06.2025

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

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