



W.P.(MD) No.15466 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.15466 of 2025

Solaiyappan

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Petitioner

Vs

1 The Principal Secretary,
Department of Aadhi Dravida Nalathurai,
The Government of Tamil Nadu,
Fort St. George,
Secretariat,
Chennai.

2 The District Collector,
Ramanathapuram District.

3 The District Revenue Officer,
Ramanathapuram District,
Ramanathapuram.

4 The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

5 The Special Tahsildar,
Aadhi Dravida Nalathurai,
Paramakudi Taluk,
Ramanathapuram District.

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Respondents



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PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, forbearing the respondents from interfering with the petitioner's peaceful possession and consequently directing them to grant him E-Patta in respect of his assignment land to an extent of about 0.02 Acres in Survey Nos.353/1B, 2B, 3B1, situated at Plot No.30, Vendoni Village, Paramakudi Taluk, Ramanathapuram District, by considering his representations, dated 13.06.2024 and 24.05.2025.

For Petitioner : Mr.K.Saravanan

For Respondents : Mr.A.Baskaran,
Addl. Govt. Pleader.

ORDER

The Writ Petition is filed, seeking issuance of mandamus, forbearing the respondents from interfering with the petitioner's peaceful possession, pertaining to 02 cents of land in Survey No.353/1B, 2B, 3B1, situated in Vendoni Village, Paramakudi Taluk, Ramanathapuram District, by considering the petitioner's representations, dated 13.06.2024 and 24.05.2025.



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2. Heard Mr.K.Saravanan, counsel for the petitioner; and Mr.A.Baskaran, Additional Government Pleader, for the respondents. With the consent of both the counsel, the Writ Petition is taken up for final disposal at the stage of admission.

3. The case of the petitioner is that he belongs to Scheduled Tribe community and is eking out his livelihood as a daily waged labourer. Taking into consideration that the petitioner is living below the poverty line, that too without any shelter, the Government assigned 02 cents of land in the above mentioned survey number in favour of the petitioner on 23.04.1984. The petitioner has been in possession and enjoyment of the said assigned land. However, proper patta has not been issued in the name of the petitioner. Now, the respondents orally instructed the petitioner to vacate the assigned land and are making an attempt to disturb the petitioner's possession. The petitioner also received information that the respondents are contemplating with the issue of patta for the very same land in favour of third parties. In these circumstances, the petitioner submitted a representation before the respondents, requesting them to not issue patta in favour of any third parties and issue patta in the name of the petitioner, as per the assigned order. The said representation has not been considered. Hence, the petitioner has come before this Court , seeking the above mentioned prayer.



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4. Mr.A.Baskaran, learned Additional Government Pleader, who appears for the respondents, would submit that the petitioner is found to have violated the conditions of the assignment order and, therefore, the respondents are initiating action against the petitioner.

5. In case of violation of terms and conditions of the assignment order, it is for the respondents to take appropriate action against the petitioner, after giving due opportunity to him. Without affording an opportunity to the petitioner, the respondents are not entitled to orally advise the petitioner to vacate the premises.

6. It is seen from the typed set of papers that a representation, submitted by the petitioner on 13.06.2024, seeking issuance of patta, based on the assignment order in his favour, is already pending before the respondents.

7. Under these circumstances, without expressing any opinion on the petitioner's entitlement for issuance of patta, the fifth respondent is directed to consider the representation of the petitioner, dated 13.06.2024, and pass final orders on its own merits within a period of twelve weeks from the date of receipt of copy of this order. Till the representation of the petitioner is considered and disposed of on its own merits, the respondents shall not issue patta to any third party.



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8. Writ Petition is disposed of, as above. No costs. Consequently, the connected W.M.P.(MD) No.11706 of 2025 is closed.

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(10/11)

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

dixit

To:

- 1 The Principal Secretary,
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S.SOUNTHAR, J.

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