

W.P.(MD)No.18998 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 15.07.2025

CORAM :

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD)No.18998 of 2025

A.Parvathi

...Petitioner

Vs.

1.The Commissioner of Land Reforms,
Chepauk,
Chennai.

2.The District Collector,
Thoothukudi District,
Thoothukudi.

3.The District Revenue Officer,
Thoothukudi District,
Thoothukudi.

4.The Revenue Divisional Officer,
Kovilpatti,
Thoothukudi District.

5.The Tahsildar,
Taluk Office,
Ettayapuram,
Thoothukudi District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned order in Na.Ka.M.R/8601/2015 dated 15.04.2025 passed by the fourth respondent and quash the same as illegal and consequently direct the respondents to issue fresh patta in the name of the petitioner in respect of the landed properties comprised in Old Survey No.623/1B1, New Survey No.717/2 (to an extent of 1 Acre 60 Cents), Survey No.717/3 (to an extent of 60 Cents) situated at Ettayapuram Village & Taluk, Thoothukudi District.

For Petitioner : Mr.K.Sivabalan
for Mr.R.Venkatesalu

For Respondents : Mrs.S.Jeya Priya
Government Advocate

ORDER

The Writ Petition is filed challenging the order passed by the fourth respondent dismissing the application filed by the petitioner seeking issuance of assignment patta under the Tamil Nadu Land Reforms (Disposal of Surplus Land) Rules, 1965.

2. Heard the arguments of Mr.K.Sivabalan, learned counsel appearing for the petitioner and Mrs.S.Jeya Priya, learned Government



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Advocate, who takes notice for the respondents. By consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

3. It is the case of the petitioner that father-in-law of the petitioner was working as bonded labourer to Ettayapuram Zamin and land with an extent of 2 acres in Survey No.623/1B/1 in the above said Zamin was given to the petitioner's father-in-law and he enjoyed the property for more than 40 years. When the land reforms proceedings were initiated in the year 1976, the petitioner's father-in-law Parvathi @ Parvathinathan submitted an application seeking issuance of patta. The physical possession of the property continued with the petitioner's family all these years. Subsequently, in the year 2007, the petitioner came to know that revenue records were mutated in favour of third parties. Since third parties attempted to interfere with the petitioner's father-in-law possession, he instituted a suit in O.S.No.301 of 2013 on the file of the District Munsif Court, Kovilpatti seeking injunction. The said suit was dismissed due to the death of the defendants. Thereafter, the petitioner submitted an instant application before the respondents seeking



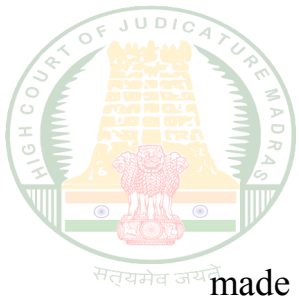
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assignment of land under the provisions of Land Reforms Act. The same has not been considered. Hence, the petitioner has come before this Court.

4. The learned counsel appearing for the petitioner would submit that though assignment of land was made in favour of third parties, the physical possession of the property remains with the petitioner. Therefore, the fourth respondent has wrongly rejected the request of the petitioner for issuance of patta.

5. It is seen from the impugned order and other documents filed in the typed-set of papers and additional typed-set of papers dated 15.07.2025 that initially assignment order was made in favour of one Samuel Grey and Rathinammal in the year 1976. Subsequently, F patta was issued on 08.03.2004. Thereafter, revenue patta was issued in Patta Nos.1202 and 1203 in the name of the said persons. Assignment patta was issued in favour of Samuel Grey in his capacity as an ex-service man. Likewise assignment patta was issued in favour of Rathinammal in her capacity as a landless poor. The assignment of property has been



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made as per the provisions of the Tamil Nadu Land Reforms (Disposal of Surplus Land) Rules, 1965. The petitioner's father-in-law, who also said to have filed an application seeking issuance of patta, has not questioned the assignment made in favour of third parties in the manner known to law by availing various remedies available under the Rules 10 and 11 of the Tamil Nadu Land Reforms (Disposal of Surplus Land) Rules, 1965. In such circumstances, the belated application submitted by the petitioner for assignment of land that too after assignment of the subject land in favour of third parties cannot be considered. Hence, this Court finds no error in the impugned order passed by the fourth respondent. Accordingly, this Writ Petition stands dismissed. No costs.

15.07.2025

NCC :Yes/No

Index :Yes/No

Internet : Yes/ No

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To

- 1.The Commissioner of Land Reforms,
Chepauk, Chennai.
- 2.The District Collector,
Thoothukudi District,
Thoothukudi.
- 3.The District Revenue Officer,
Thoothukudi District,
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S.SOUNTHAR, J.

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4.The Revenue Divisional Officer,
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5.The Tahsildar,
Taluk Office,
Ettayapuram,
Thoothukudi District.

Order made in
W.P.(MD)No.18998 of 2025

Dated : 15.07.2025