



W.P.(MD) No.22513 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.22513 of 2022

J.Kadar Hussain

...

Petitioner

Vs

- 1 The State of Tamil Nadu,
Through its Principal Secretary, Revenue and
Disaster Management Department,
Secretariat, Fort St.George,
Chennai 600 009.
- 2 The Commissioner of Land Administration,
Land Administration Department,
2nd Floor, Ezhilagam, Chepauk,
Chennai 600 005.
- 3 The District Revenue Officer,
Theni District.
- 4 The Thasildhar,
Uthamapalayam Taluk,
Theni District.
- 5 Sagupar Sathik

...

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, directing the 3rd respondent for granting patta to the land admeasuring 41 Cents in S.No.185/3B (now 185/4) in Karunkattankulam Village, Chinnamanur, Uthamapalayam Taluk, Theni District, in the name of the petitioner, his brothers and sister, by disposing his representation, dated 05.12.2021 and 19.04.2022, in the light of G.O.M.No.303, Commercial Tax and Religious Endowment Department, dated 24.03.1987.

For Petitioner : Mr.R.Suriyanarayanan

For Respondents 1 to 4 : Mrs.K.Malathi,
Addl. Govt. Pleader.

For Respondent 5 : Mr.PM.Vishnuvarthanan

ORDER

The Writ Petition is filed, seeking a direction to the third respondent to grant patta to the property situate in Survey No.185/3B (now 185/4) with an extent of 41 cents in Karunkattankulam Village, Chinnamanur, Uthamapalayam Taluk, Theni District, in favour of the petitioner, his brothers and sister, by considering his representations, dated 05.12.2021 and 19.04.2022, in the light of G.O.M.No.303, Commercial Tax and Religious Endowment Department, dated 24.03.1987.



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2. It is the case of the petitioner that the above said property was purchased by his forefathers and a building was put up thereon. After coming into force of the Tamil Nadu Minor Inam Abolition and Conversion into Ryotwari Act, 1963, (Act 30 of 1963), proceedings were initiated and the same culminated in passing of an order by the Commissioner of Land Administration in his proceedings No.CLA.D.Dis.(K).R.P.9/85, dated 06.01.1987. As per the said order, the claim made by the petitioner as well as the fifth respondent were negatived and it was declared that the subject property was vested with the Government under Section 3 (b) of the above said Act. Challenging the said order, a writ petition was filed by the petitioner in W.P.No.700 of 1987 and the same was dismissed. Aggrieved by the same, the petitioner preferred an appeal in W.A.No.896 of 1995 and the said writ appeal was disposed of by the First Bench of this Court, with a direction to the petitioner to work out his remedy by filing an application before the appropriate authority for grant of patta.

3. The learned counsel for the petitioner submits that on the strength of the liberty granted by the Division Bench, the petitioner submitted representations, dated 05.12.2021 and 19.04.2022, before the second respondent and the same have not been considered.



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4. A perusal of the representations submitted by the petitioner would indicate that the petitioner has not stated on what basis he claims right over the subject property. Though in the representations, dated 05.12.2021 and 19.04.2022, there is a reference about the earlier representation of the petitioner, the same has not been produced before this Court and the gist of the earlier representation has not been extracted in the present representation.

5. Under these circumstances, when there is nothing on record to show that on what basis the petitioner is entitled to claim patta outside the scope of the Tamil Nadu Minor Inam Abolition and Conversion into Ryotwari Act, 1963, this Court is not inclined to grant the prayer sought for. Therefore, the Writ Petition stands dismissed. However, it is open to the petitioner to file a fresh representation in the light of the liberty granted by the Division Bench in W.A.No.896 of 1995. If any such representation is submitted, the same shall be considered by the competent authority in the manner known to law.

No costs.

25.06.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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S.SOUNTHAR, J.

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