



W.P.(MD) No.21713 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 19.08.2025

CORAM

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD)No.21713 of 2025

A.Murugeswari

... Petitioner

Vs

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.
3. The Tahsildhar,
Sivakasi Taluk,
Virudhunagar District.
4. M.P.Issac

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of the 3rd respondent in Na.Ka.A6/13257/2022 dated 18.06.2025 and quash the same and consequently direct the respondents to allot alternative lands to the petitioner in Narayanapuram village, Thiruthangal, Virudhunagar District.



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For Petitioner : Mr.K.Muthumalai

For Respondents : Mr.A.Baskaran
Addl. Govt. Pleader for R1 to R3

ORDER

This Writ Petition is filed challenging the order passed by the third respondent negating the request made by the petitioner seeking alternate site for the petitioner.

2. Heard the arguments of Mr.K.Muthumalai, learned counsel for the petitioner and Mr.A.Baskaran, learned Additional Government Pleader appearing for the respondents 1 to 3. Since, no adverse order is going to be passed against the 4th respondent, notice to him is dispensed with.

3. According to the petitioner, the land situated in S.No.30/33 in Narayanapuram Village, Thiruthangal, Virudhunagar District was assigned in favour of one Issac in the year 1992 under free house site scheme. Since no building was put up in the subject land as per the



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assignment conditions, the Sub-Collector of Sivakasi in his proceeding in Moo.Mu.Aa2/4795/2015, cancelled the assignment in favour of the said Issac. The petitioner herein purchased the assigned property from the said Issac even in the year 2012. Since the petitioner is affected by an order of cancellation passed by the Sub-Collector, Sivakasi, she submitted a representation on 21.04.2025, before the third respondent seeking allotment of alternate site by taking into consideration the prejudice caused to the petitioner by the order of cancellation. The said application was rejected by the second respondent on the ground that the petitioner is not an original assignee and she is only a purchaser from the assignee. Aggrieved by the said order, the petitioner has come before this Court.

4. When the Writ Petition is taken up for hearing, the third respondent has filed an affidavit stating that out of humanitarian ground, the petitioner will be allotted with another piece of land subject to availability within a period of six months. The said averment made by the third respondent is recorded. The petitioner is unable to point out any legal right to claim alternate site from the official respondents. Admittedly, the subject property was not assigned in favour of the



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petitioner. Therefore, notice to the petitioner is not necessary before cancellation order. The cancellation order passed by the Sub-Collector, Sivakasi was not challenged by the original assignee Issac.

5. In these circumstances, recording the averments in the counter affidavit filed by the third respondent, this Writ Petition is disposed of. There shall be no order as to costs.

19.08.2025

vsm

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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S.SOUNTHAR, J.

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