



W.P(MD)Nos.23639 to 23644 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED :29.08.2025

CORAM:

THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P(MD)Nos.23639 to 23644 of 2025

and

W.M.P(MD)Nos.18551, 18555, 18553, 18556, 18558, 18560

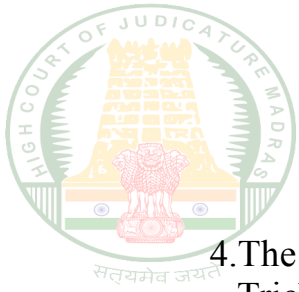
S.Kandhimadi	... Petitioner in W.P(MD) No.23639 of 2025
R.Thilagam	... Petitioner in W.P(MD)No.23640 of 2025
P.Subbuthai	... Petitioner in W.P(MD)No.23641 of 2025
P.Subbuthai	.. Petitioner in W.P(MD)No.23642 of 2025
R.Thilagam	... Petitioner in W.P(MD)No.23642 of 2025
N.Lalitha	... Petitioner in W.P(MD)No.23642 of 2025

Vs.

1.The Commissioner of Land Administration,
Chepauk,
Chennai – 600 005.

2.The District Collector,
Trichy District,
Trichy.

3.The District Revenue Officer,
Trichy District,
Trichy.



W.P(MD)Nos.23639 to 23644 of 2025

4.The Revenue Divisional Officer,
Trichy,
Trichy District.

5.The Tahsildar,
Thiruverumbur,
Trichy District.

... Respondents in all W.Ps

PRAYER in W.P(MD)No.23639 of 2025: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ Of Mandamus directing the respondents to implement the order passed by the first respondent in his proceedings in Rc.No.G1/57088/93 and 6851/94, dated 29.10.2001 by extending its benefits to the Petitioner, who is equally placed with the beneficiaries of the said order of the first respondent and consequently issue patta to the Petitioner in the land in S.No.35/20, admeasuring 2910 sq.ft, Kumbakkudy Village, M.G.R.Nagar, Trichy District, on the basis of the representation of the Petitioner, dated 19.08.2025, within the time stipulated by this Court.

PRAYER in W.P(MD)No.23640 of 2025: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ Of Mandamus directing the respondents to implement the order passed by the first respondent in his proceedings in Rc.No.G1/57088/93 and 6851/94, dated 29.10.2001 by extending its benefits to the Petitioner, who is equally placed with the beneficiaries of the said order of the first respondent and consequently issue patta to the Petitioner in the land in S.Nos.41/8 and 41/9, admeasuring 2160 sq.ft, Kumbakkudy Village, M.G.R.Nagar, Trichy District, on the basis of the representation of the Petitioner, dated 19.08.2025, within the time stipulated by this Court.

PRAYER in W.P(MD)No.23641 of 2025: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ Of Mandamus directing the respondents to implement the order passed by the first respondent in his proceedings in Rc.No.G1/57088/93 and 6851/94, dated 29.10.2001 by extending its benefits to the Petitioner, who is equally placed with the beneficiaries of the said order of the first respondent and consequently issue patta to the Petitioner in the land



W.P(MD)Nos.23639 to 23644 of 2025

in S.No.35/6, admeasuring 20 cents, Kumbakkudy Village, M.G.R.Nagar, Trichy District, on the basis of the representation of the Petitioner, dated 19.08.2025, within the time stipulated by this Court.

PRAYER in W.P(MD)No.23642 of 2025: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ Of Mandamus directing the respondents to implement the order passed by the first respondent in his proceedings in Rc.No.G1/57088/93 and 6851/94, dated 29.10.2001 by extending its benefits to the Petitioner, who is equally placed with the beneficiaries of the said order of the first respondent and consequently issue patta to the Petitioner in the land in S.No.35/6, admeasuring 20 cents, Kumbakkudy Village, M.G.R.Nagar, Trichy District, on the basis of the representation of the Petitioner, dated 19.08.2025, within the time stipulated by this Court.

PRAYER in W.P(MD)No.23643 of 2025: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ Of Mandamus directing the respondents to implement the order passed by the first respondent in his proceedings in Rc.No.G1/57088/93 and 6851/94, dated 29.10.2001 by extending its benefits to the Petitioner, who is equally placed with the beneficiaries of the said order of the first respondent and consequently issue patta to the Petitioner in the land in S.Nos.41/8 and 41/9, admeasuring 2160 sq.ft, Kumbakkudy Village, M.G.R.Nagar, Trichy District, on the basis of the representation of the Petitioner, dated 19.08.2025, within the time stipulated by this Court.

PRAYER in W.P(MD)No.23644 of 2025: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ Of Mandamus directing the respondents to implement the order passed by the first respondent in his proceedings in Rc.No.G1/57088/93 and 6851/94, dated 29.10.2001 by extending its benefits to the Petitioner, who is equally placed with the beneficiaries of the said order of the first respondent and consequently issue patta to the Petitioner in the land in S.No.35/8, admeasuring 4796 sq.ft, Kumbakkudy Village, M.G.R.Nagar, Trichy District, on the basis of the representation of the Petitioner, dated 19.08.2025, within the time stipulated by this Court.



WEB COPY



W.P(MD)Nos.23639 to 23644 of 2025

For Petitioner : Mr.B.Saravanan
Senior Counsel
for M/s.B.Saravanan Associates
For Respondents : Mr.J.Ravindran
Addl.Advocate General
assisted by Mrs.S.Jeya Priya
(in all W.Ps) Government Advocate

COMMON ORDER

These Writ Petitions are filed seeking a direction to the respondents to implement the order passed by the first respondent in his proceedings in R.C.No.G1/57088/93 and 6851 of 1994, dated 29.10.2001 by extending the benefit of the said order to the Petitioners, who are similarly placed and consequently to issue patta to the petitioners in respect of the lands in S.Nos.35/20, 41/8, 41/9, 35/6, 35/6, 41/8, 41/9, and 35/8 at Kumbakkudy Village, MGR Nagar, Trichy District by considering the respective representations of the Petitioners.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court. The issue involved in these Writ Petitions are covered by order passed by this Court in batch of Writ Petitions in W.P.(MD)No.9767 of 2024 and other cases.



W.P(MD)Nos.23639 to 23644 of 2025

WEB COPY

3.It is the case of the Petitioners that assignment pattas have been issued to 53 persons by the Special Tahsildar in the year 1982 in respect of the properties situated at S.Nos.34, 35, 41/6 and 41/7 ad-measuring 16.88.5 hectares of land in the above mentioned village. The said assignees sold their lands to various persons and Writ Petitioners are some of the purchasers from the said assignees. The third respondent cancelled the assignments in favour of the original assignees on the ground that they had violated the conditions of assignment. Aggrieved by the same, 45 original assignees filed an appeal before the first respondent and the said appeal was disposed on 29.10.2001 with following directions.

“In the above circumstances, while considering the entire facts of the case, it is clear that the land assignments made free of cost to the appellants are found to be irregular and that some of the appellants have violated the conditions of free assignment. However, since it was brought to notice that in most of the assigned lands, buildings have been constructed, it is not fair to cancel the assignment after a long span of time which will make the issue more complicated. In



WEB COPY



W.P(MD)Nos.23639 to 23644 of 2025

order to avoid such complication in this issue, it is fair to reassign the land to the persons actually in possession of the property after verifying their eligibility and on collection of double the market value of the land wherever the occupants are not eligible for assignment free of cost. In the above circumstances, I remit the case back to the District Revenue Officer for fresh disposal after field verification of each and every case as observed above.”

4.Subsequently, the fifth respondent passed an order in his proceedings in Na.Ka.AA5-54-2002, dated 19.09.2009 fixing the market value for the subject property at Rs.73/- per sq.ft. The third respondent in his proceedings, dated 05.01.2018 passed an order for implementing the first respondent's order by identifying the list of 83 beneficiaries. Even thereafter, patta has not been issued in favour of the identified beneficiaries. Therefore one of the beneficiaries in the said list filed a Writ Petition in W.P(MD)No.7129 of 2022 seeking a direction to the respondents to implement the order passed by the first respondent, dated 29.10.2001 and for issuance of patta. The said Writ Petition was disposed by this Court by directing the Petitioners to pay the market



W.P(MD)Nos.23639 to 23644 of 2025

value as fixed in the year 2009 with interest at the rate of 4% pa.,. On remittance of the said amount, the respondents were directed to issue patta in the name of the Petitioners. The said order was challenged by the official respondents in W.A(MD)No.310 of 2023 and the same was dismissed. The Special Leave Petition in SLP. No.13168 of 2023 filed by the official respondents was also dismissed. Therefore the order passed by this Court directing the respondents to issue patta by implementing the order passed by the first respondent on 29.10.2001 had attained finality. The petitioners herein are the persons who purchased a portion of the property from the original assignees. It is also stated by the Petitioners that they are all similarly placed persons and the benefit of the order passed by the first respondent, dated 29.10.2001 will enure to them.

5.Mr.J.Ravindran, learned Additional Advocate General assisted by Mrs.S.Jeya Priya, learned Government Advocate appearing for the respondents 1 to 5 would submit that the Petitioners are not in possession of the property and therefore the benefit of the order passed by the first respondent will not enure to them. He further submitted that though the



W.P(MD)Nos.23639 to 23644 of 2025

order of the first respondent was passed in the year 2001, the Writ Petitioners failed to approach the official respondents seeking issuance of patta till date. In the order passed by the District Revenue Officer identifying 83 beneficiaries, the names of the Petitioners are not found. He would further submit that the Writ Petitioners are not the persons claiming right under 45 persons who filed an appeal before the first respondent and therefore, the benefit of the order passed by the first respondent cannot be extended to the Writ Petitioners.

6.Regarding the contention of the learned Additional Advocate General appearing for the respondents 1 to 5 about the possession of the Petitioners, it is pertinent to note that petitioners claim that they had purchased the subject property from original assignees or from purchasers of original assigness under registered sale deed. When the title documents stand in the name of Writ Petitioners, in view of the fact that subject properties are vacant sites, they are entitled to take advantage of recitals with regard to possession in their title documents. It is not in dispute that in respect of the Writ Petitioners are concerned, properties are kept as vacant sites. In these circumstances, the



W.P(MD)Nos.23639 to 23644 of 2025

Petitioners who are all purchasers from the original assignees, are entitled to rely on recitals in their documents to establish their possession. Therefore the first contention raised by the learned Additional Advocate General that the Petitioners failed to establish their possession over the vacant site cannot be accepted immediately and Petitioners shall be given an opportunity to establish their possession. As far as cases in which building stands in the assigned site, the respondents can easily find out the person in possession based on building plan approval, building tax assessment etc.

7.The learned Additional Advocate General also vehemently opposed these Writ petitions stating that the Petitioners are not the persons claiming right under the original 45 assignees who challenged the cancellation order before the Commissioner of Land Administration.

8.In view of the said stand taken by the respondents, third respondent is directed to consider the respective representations submitted by the petitioners on its own merits and decide the question as to whether the Petitioners are the purchasers from 45 original assignees



W.P(MD)Nos.23639 to 23644 of 2025

who challenged the order of cancellation before the first respondent. If the third respondent comes to a conclusion that the Petitioners are the persons claiming right under those 45 original assignees, then the benefit of the order passed by the first respondent will ensure to the Petitioners, provided they establish their possession over the site. In that case, after collecting the market value as fixed in the year 2009 with interest at the rate of 4%p.a., till the date of payment, the Petitioners are entitled to issuance of patta. In case, Petitioners are not able to establish that they are claiming under 45 persons who filed appeal before first respondent, the benefit of order, dated 29.10.2001 will not be available to them.

9. With these directions and clarifications, the Writ Petitions are disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

29.08.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
cp



W.P(MD)Nos.23639 to 23644 of 2025

WEB COPY

To

- 1.The Commissioner of Land Administration,
Chepauk,
Chennai – 600 005.
- 2.The District Collector,
Trichy District,
Trichy.
- 3.The District Revenue Officer,
Trichy District,
Trichy.
- 4.The Revenue Divisional Officer,
Trichy,
Trichy District.
- 5.The Tahsildar,
Thiruverumbur,
Trichy District.



WEB COPY



W.P(MD)Nos.23639 to 23644 of 2025

S.SOUNTHAR.,J.

cp

COMMON ORDER MADE IN

W.P(MD)Nos.23639 to 23644 of 2025

29.08.2025