



W.P(MD)No. 31137 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED :04.11.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No. 31137 of 2025

and

W.M.P.(MD) Nos.24379 & 24380 of 2025

Rasu

... Petitioner

Vs

1. The District Collector,
Office of the District Collector,
Thanjavur District.

2. The District Revenue Officer,
Office of the District Revenue Office,
Thanjavur District.

3. The Revenue Divisional Officer,
Office of the Revenue Divisional Office,
Thanjavur District.

4. The Tahsildar,
Office of the Boothaloor Taluk Office,
Thanjavur District.

5. Jeyaseelan

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the fourth respondent vide Na.Ka. No. 3141/2019/A2, dated 14.08.2019 and quash the same as illegal and



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arbitrary and restore the landed property of the petitioner in S.No.335/2 and 335/16, situated at Vishnam Pettai, Boothalur Taluk, Thanjavur District, within the time stipulated by this Court.

For Petitioner : Mr. S.Sathyachidambaram

For Respondents : Mr.K.Balasubramani
Special Government Pleader for R1 to R4

ORDER

The petitioner raises a grievance regarding the allotment of a free house site patta to the fifth respondent on 14.08.2019. According to the petitioner, he is the owner of 23 ½ cents in survey No.2/3, at Pavanamangalam Village, Thiruvayyur Taluk and that he has to pass through the property in survey No.335/2 of Vishnampettai Village. He also alleges that the fifth respondent and his family members owned other parcels of land.

2. Learned counsel for the petitioner relies upon the pattas enclosed in pages 61 to 66 of the typeset of papers to substantiate the contention that the fifth respondent is not entitled to a free house site patta.



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3. Learned Special Government Pleader accepts notice for respondents 1 to 4. With reference to the impugned order, he points out that such order was issued after inspecting the site and after conducting a detailed inquiry. Since the site is classified as 'Natham', he contends that the Government is entitled to allot the free house site patta as per terms and conditions.

4. The order impugned herein was issued on 14.08.2019. The present Writ Petition has been filed after the lapse of about six (6) years with no explanation for the delay. If, as contended by the petitioner, the plot allotted to the fifth respondent is the pathway that the petitioner was using to access his land in survey No.2/3, this grievance should have been raised several years ago. While limitation is not applicable to a Writ Petition, laches is a material consideration.

5. For reasons aforesaid, I am not inclined to exercise discretionary jurisdiction in favour of the petitioner. Therefore, this Writ Petition is dismissed without any order as to costs.



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6. For the avoidance of doubt, it is clarified that this order will not stand in the way of the official respondents initiating action, if required, against the fifth respondent in case of breach of the terms and conditions of allotment. No costs. Consequently, connected miscellaneous petitions are closed.

NCS : Yes/No
Index : Yes / No
Internet : Yes / No
apd

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To

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SENTHILKUMAR RAMAMOORTHY.,J.

apd

ORDER MADE IN

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