



W.P.(MD) Nos.21771 and 21772 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2025

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THE HONOURABLE MR. JUSTICE S.SOUNTHAR

W.P.(MD) Nos.21771 and 21772 of 2017

and

W.M.P.(MD) Nos.18061 to 18064 of 2017

R.Karthikeyan

... Petitioner in
W.P.(MD)No.21771/2017

R.Veeramanikandan

... Petitioner in
W.P.(MD)No.21772/2017

Vs

1. The District Revenue Officer,
Paramakudi,
Ramanathapuram District

2. The Tahsildar,
Paramakudi,
Ramanathapuram District.

... Respondents in
both W.Ps.

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned orders passed by the 1st Respondent in his proceedings in Pa.Mu.(Pi5)/28999/2016 dated 01.07.2017 and quash the same and consequently direct the 1st respondent to issue regular patta to the petitioners.



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For Petitioners (In both W.Ps)	: Mr.S.C.Herold Singh
For Respondents (In both W.Ps)	: Mrs.K.Malathi, Addl. Govt. Pleader

COMMON ORDER

These Writ Petitions are filed challenging the order passed by the first respondent dismissing the revision applications filed by the petitioners challenging the order passed by the Sub Collector, Paramakudi.

2. Heard the arguments of Mr.S.C.Herold Singh, learned counsel for the petitioners and Mrs.K.Malathi, learned Additional Government Pleader appearing for the respondents.

3. It is the case of the petitioners that the subject properties situated in Old S.No.257/3, New Survey No.430/3 belonged to the petitioners' forefathers and they got the properties by inheritance. The second respondent herein issued a free house site patta to the petitioners in the year 1997. The issuance of free house site pattas came to the knowledge of the petitioners only in the year 2014, when they had taken steps to put up constructions in the house sites. Immediately, the petitioners submitted representations before the Sub Collector/Revenue Divisional

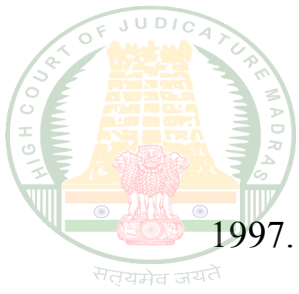


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Officer, seeking modification of free assignment patta into a regular patta. The said request of the petitioners was rejected and the free house site pattas issued in favour of the petitioners were also cancelled on the ground that the petitioners violated the assignment conditions by their failure to put up constructions thereon. The said order passed by the Sub-Collector was questioned by the petitioners before this Court in W.P. (MD)Nos.1919 and 1920 of 2017. The same were disposed of with a direction to the first respondent to consider the revisions filed by the petitioners, challenging the order passed by the Sub-Collector. Thereafter, the impugned order has been passed by the first respondent mainly on the ground that the petitioners failed to put up constructions as per the Revenue Standing Order 21.

4. The learned counsel appearing for the petitioners would submit that the subject properties are the ancestral properties of the petitioners and the first respondent, without considering the plea raised by the petitioners and the supporting documents, passed the impugned order cancelling the patta.

5. A perusal of the impugned order would suggest that the petitioners were issued with free house site assignment pattas in the year



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1997. The said free house site pattas were cancelled by the impugned order mainly on the ground that the petitioners failed to put up constructions as per the assignment conditions. If the petitioners have got any independent right over the subject properties, the impugned order cancelling the assignment patta will not affect their rights and it is open to the petitioners to establish their right before the civil Court. However, the title claim made by the petitioners cannot be considered in a proceeding initiated by the respondents to cancel the free house site pattas on the ground that the petitioners failed to comply with the conditions of assignment patta. Hence, I do not find anything to interfere with the impugned order passed by the first respondent.

6. Accordingly, these Writ Petitions are dismissed with liberty to the petitioners to establish their right, if any, before the civil Court. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

05.08.2025

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Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



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Ramanathapuram District
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S.SOUNTHAR, J.

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