



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2025

CORAM:

THE HONOURABLE MR JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No. 29904 of 2025

Devadasan

... Petitioner

Vs

1. The District Collector,
Tirunelveli District
Collectorate, Tirunelveli

2. The District Adi Dravidar and Tribal Welfare Officer,
Tirunelveli District,
Tirunelveli.

3. The Tahshildar,
Nanguneri Taluk,
Nanguneri, Tirunelveli District.

4. Johnson

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st respondent to conduct an enquiry and cancel the assignment patta issued in favor of the 4th respondent's mother by considering the petitioner's representation dated 23.08.2025 within a stipulated time fixed by this court.



For Petitioner : Mr.T.A.Ebenezer
For Respondents : Mr.K.Balasubramani
Special Government Pleader
for R1 to R3
R4-service awaited in court notice and
served in private notice

ORDER

The petitioner seeks the cancellation of the assignment patta issued to the 4th respondent's mother by considering his representation dated 23.08.2025.

2. At the hearing on 25.10.2025, notice was issued to the 4th respondent. After issuing private notice, the petitioner has filed proof of service enclosing the acknowledgement card. Inspite of receipt of notice, there is no representation for the 4th respondent. Therefore, the matter is proceeded with in the absence of the 4th respondent.

3. Learned counsel for the petitioner submits that the 4th respondent does not belong to the Adi Dravidar community and is a Christian. He also states that the 4th respondent owns other properties and was not eligible for the assignment patta.

4. Learned Special Government Pleader has handed over the encumbrance certificate relating to the property for the period 01.01.1975 to 13.10.2025. By referring thereto, he points out that the petitioner was the owner of the property under document No.502/1984. He also points out that the



property was acquired subsequently by the Government pursuant to an award issued under Act 31 of 1978. In those circumstances, he contends that the petitioner has no right in relation to the said property.

5. From the encumbrance certificate, it follows that the land was acquired by the Government of Tamil Nadu and thereafter assignment pattas were issued to various beneficiaries from the Adi Dravidar community including the 4th respondent's mother. Several decades after such assignment, after submitting a representation in August 2025, the present writ petition has been filed. Once land is acquired by the Government under any acquisition statute, including Act 31 of 1978, such land vests with the Government free from all encumbrances and defects in title. In these circumstances, on the basis of representation issued in August 2025, the petitioner's request cannot be countenanced in exercise of discretionary jurisdiction. Therefore, this writ petition is dismissed without any order as to costs.

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
RJR

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Tirunelveli.
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SENTHILKUMAR RAMAMOORTHY, J.

RJR

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