



WEB COPY

W.P.No.9735 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 24.03.2026**

C O R A M

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**  
**AND**

**THE HONOURABLE MR.JUSTICE K.SURENDER**

**W.P.No.9735 of 2023**

**and**

**WMP.No.9817 of 2023**

Annapoorani

... Petitioner

-vs-

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

2.The District Revenue Officer,  
Collectorate Buildings,  
Coimbatore – 641 018.

3.The Revenue Inspector,  
Ramapattinam Firka,  
Ramanathapuram,  
Pollachi Taluk,  
Coimbatore District – 642 005.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India to praying to issue a Writ of Certiorarified Mandamus, to call for the records of the 1<sup>st</sup> respondent made in proceedings in Na.Ka.R./1788341/2021 dated 01.12.2022 and the consequential notice dated 09.03.2023 issued



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by the 3<sup>rd</sup> respondent and quash the same and consequently to direct the 1<sup>st</sup> respondent to consider the claim of the petitioner for grant of patta in her favour in respect of the lands in occupation of the petitioner situated at S.F.No.772/2 Natham site to an extent of 625 square feet situated at Puravipalayam Village, Pollachi Taluk, Coimbatore District, within the stipulated time as that may be fixed by this Court.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.T.Arunkumar,  
Addl. Govt. Pleader

### **ORDER**

*(Order of the Court was made by S.M.SUBRAMANIAM,J.,)*

The Writ on hand has been instituted challenging the order of the Commissioner of Land Administration dated 01.12.2022.

2. The petitioner claims that she is in occupation of Grama Natham land in S.F.No.772/2, Puravipalayam Village.

3. In respect of Grama Natham lands where residential houses are built after Natham settlement period in the vacant sites, such cases can be considered under the provisions of RSO-21 based on the eligibility criteria and other conditions thereon with costs/ free of cost or under the scheme



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of Regularization of residential encroachments implemented by the Government time to time as the case may be, or may be considered for eviction under the relevant Act if the situation so demands.

4. When the Government Authorities identified encroachments in Grama Natham land under RSO-21 they are empowered to invoke the provisions of the Tamil Nadu Land Encroachment Act, 1905 for evicting the encroachers and thereafter utilize the Grama Natham land either for public purpose or to assign the land for construction of residential houses to the landless poor people. At the outset, Grama Natham lands are to be regulated by the Government in terms of RSO-21.

5. In the present case, the petitioner submitted an application seeking assignment of patta, which was rejected by the competent Authority. Appeal came to be filed, which was rejected and finally the petitioner approached the Commissioner of Land Administration. The Commissioner of Land Administration considered the issues with reference to the revenue records and found that the petitioner is not entitled for assignment patta and thus the petitioner was construed as an encroacher of Government land and enforcement actions are proposed to be initiated.



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**6.** The learned counsel for the petitioner would submit that the petitioner is in occupation of the subject land for long years. Therefore, she is entitled for grant of assignment patta.

**7.** Per contra, the learned Additional Government Pleader based on written instruction given by the Revenue Tahsildar, Pollachi dated 08.07.2025 would submit that during field inspection, the Tahsildar found that the petitioner is not in occupation of the subject land and she is residing in Puravipalaym Village along with her two sons.

**8.** Even at the time of filing of the Writ Petition, the petitioner was aged about 77 years and now she will be around 80 years. Considering the facts and circumstances, as stated above the petitioner has not established even a semblance of legal right for granting the relief. Assignment patta cannot be claimed as absolute right by encroachers or occupants and such lands are to be regulated by the Government in terms of RSO-21. The High Court in exercise of powers of judicial review cannot issue a direction to grant assignment patta at free of costs, which is to be done based on assessment of merits and in accordance with law.



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9. Accordingly, this Writ Petition is **dismissed**. No costs.

Consequently, the connected miscellaneous petition is closed.

(S.M.S.,J.) (K,S.,J.)  
24.03.2026

Index : Yes / No  
Internet : Yes / No  
Neutral Citation : Yes / No  
Speaking order / Non-speaking order

dsa

To:

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

2.The District Revenue Officer,  
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