



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-03-2026

CORAM

WEB COPY

THE HON'BLE MR JUSTICE KRISHNAN RAMASAMY

WP No. 29482 of 2022

1. P.Venkatesan
2. P.Durai
3. P.Prabhakaran
4. P.Palanivel

..Petitioner(s)

Vs

1. The Secretary to Government,
Revenue Department, State of Tamil Nadu,
Fort St.George, Chennai-600 009.
2. The District Collector,
Kallakurichi District,
Office of the Collectorate, Kallakurichi District.
3. The Revenue Divisional Officer,
Kallakurichi, Kallakurichi District.
4. The Revenue Tahsildar,
Kallakurichi Taluk, Kallakurichi District.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records in Pa.Mu.No.132/16625/2022 dated 11.05.2022 passed by the second respondent herein quash the same and consequently direct the first respondent to issue orders for grant of assignment patta in favour of petitioners for the lands comprised in Survey Nos.136/6 and 138/8 to an extent of 43 Ares and 30.5 Ares respectively Indhili Village, Kallakurichi taluk, Kallakurichi District.



WEB COPY

WP No. 29482 of 2



For Petitioner(s) : Mr.G.Surya Narayanan
Mrs.Jayasudha Surya Narayanan

For Respondent(s) : Mr.T.K.Saravanan, AGP

ORDER

This writ petition is filed to call for the records in Pa.Mu.No.132/16625/2022 dated 11.05.2022 passed by the second respondent herein quash the same and consequently direct the first respondent to issue orders for grant of assignment patta in favour of petitioners for the lands comprised in Survey Nos.136/6 and 138/8 to an extent of 43 Ares and 30.5 Ares respectively Indhili Village, Kallakurichi taluk, Kallakurichi District.

2. Learned counsel for the petitioner would submit that the petitioners are brother and holding possession over the lands comprised in S.Nos.136/6 and 136/8 to an extent of 43 & 30.5 Ares, respectively for more than 50 years. Therefore, the petitioners made a representation to the authorities for issuance of assignment patta in respect of the said land. However, the same was not considered. Hence, they filed a writ petition in W.P.No.22368 of 2014 to consider the said representation and this Court vide its order dated 20.08.2014 directed the authorities to consider the same within a period of eight weeks.



2.1. Pursuant to which, the second respondent vide proceedings in Pa.Mu.132/16625/2021 dated 11.05.2022 passed an order declining to issue patta to the petitioners on the ground that the second respondent is competent to issue patta in respect of lands, which are valuable up to Rs.4,00,000/- and the land value more than Rs.4,00,000/- can only be assigned by Government. In present case, the value of the land comes to around Rs.29,24,324/-. Hence, challenging the said proceedings dated 11.05.2022, the petitioners have come forward with the present writ petition.

3. Learned counsel for the petitioners would submit that in the event the second respondent has no power to issue assignment patta, where the land value is more than Rs.4,00,000/-, he ought to have referred the matter to the Government. However, in the case on hand, the second respondent has rejected the petitioners' claim by passing the impugned proceedings dated 11.05.2022.

4. Learned Additional Government Pleader appearing for the respondents would fairly submit that the first respondent is the competent authority to issue assignment patta to the petitioners, since the land value has exceed the sum of Rs.4,00,000/-. Hence, this Court may direct the first respondent to issue the same to the petitioners, after conducting an enquiry.



5. Heard the learned counsel on either side and perused the materials available on record.

6. As rightly contended by the learned counsel for the petitioner, in the event the second respondent has no power to issue patta, in respect of the lands which are having the value of more than Rs.4,00,000/-, he ought to have referred the matter to the first respondent to issue patta to the petitioners. However, in the case on hand, instead of referring the matter to the competent authority, the second respondent has passed the impugned proceedings by rejecting the petitioners' claim, which is not sustainable and liable to be set aside. Accordingly, this Court issues the following directions:

(i) The impugned proceedings dated 11.05.2022 is hereby set aside and the matter is remitted back to the first respondent for fresh consideration;

(ii) While considering the matter afresh, the first respondent is directed to consider the petitioners' possession in the subject land for more than 50 years;

(iii) The aforesaid exercise shall be completed within a period of six months from the date of receipt of a copy of this order.

With the aforesaid direction, this writ petition is disposed of. No costs.

17-03-2026

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



To:

1. The Secretary to Government,
Revenue Department,
Fort St.George, Chennai-600 009.
2. The District Collector,
Kallakurichi District,
Office of the Collectorate,
Kallakurichi District.
3. The Revenue Divisional Officer,
Kallakurichi,
Kallakurichi District.
4. The Revenue Tahsildar,
Kallakurichi Taluk,
Kallakurichi District.



WEB COPY

WP No. 29482 of 2



KRISHNAN RAMASAMY, J.

VM

WP No. 29482 of 2022

17-03-2026