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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-02-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

WP No. 29697 of 2022

and

WMP No. 29088 of 2022

1. P.K.Raj
S/o. P.Kandasamy Gounder, No. 5/58, Periya
Kumarapalayam, Periya Kumarapalayam Post,
Dharapuram Taluk, Tiruppur district
2. K.Sivavaishnav
S/o. P.K. Raj, No. 5/58, Periya
Kumarapalayam, Periya Kumarapalayam Post,
Dharapuram Taluk, Tiruppur district

..Petitioner(s)

Vs

1. The District Revenue officer,
Tiruppur District, Tiruppur.
2. The Revenue Divisional officer,
Dharapuram, Tiruppur District
3. The Tahsildar
Dharapuram Taluk, Dharapuram,
Tiruppur District
4. The District Registrar
Tiruppur district, Tiruppur
5. The Sub Registrar
Dharapuram, Tiruppur District
6. Shanmugasundaram
S/o . Venkatachala Gounder, No. 2/32, Periya
Kumarapalayam, Dharapuram Taluk,
Tiruppur District 642 201



7. The Director
Boomithan Board, Chepauk, Chennai 5

..Respondent(s)

To call for the entire records relating to the impugned order passed by the 1st respondent in his proceedings Na.ka. 3213/ 2021/ J3 dated 29.9.2022 and quash the same

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For Petitioner(s): Mr.Om Prakash,Senior Counsel
for Mr.C.Prakasam

For Respondent(s): Mr.T.Arunkumar,
Addl.Govt.Pleader
for R1 to R5 & R7
Mrs.hema Sampath,Senior Counsel
for Mr.B.Gopalakrishnan for R6

Order

(Order of the Court was made by S.M.Subramaniam J.)

The Writ Petition has been instituted challenging the order of the District Revenue Officer, Tiruppur, dated 29.09.2022, cancelling the patta stood in the name of the writ petitioner.

2. Learned Senior Counsel for the petitioner would submit that the petitioner is in possession of the subject property described in the writ petition. The property was purchased by the petitioner through sale deed dated 07.12.1981. Thereafter, he continued to be the absolute owner of the property and patta also stood in the name of the petitioner. While so, the District Revenue Officer called for an enquiry and without considering the documents produced by the petitioner, passed an order that the subject property was



donated in favour of Bhoodan Board under the Bhoodan Yagna Act, 1958 and cancelled the patta granted in favour of the petitioner. Such an action, without taking note of the fact that the petitioner is in long possession of the property, is erroneous. That apart, there is no document to establish that the subject property was donated under the provisions of Bhoodan Yagna Act, 1958. Thus, the writ petition is to be considered.

3. Learned Additional Government Pleader appearing on behalf of the respondents strenuously opposed by stating that one Mr.Venkatachala Gounder donated the property in favour of Bhoodan Board on 08.01.1956 under the Act. The donation was confirmed on 21.11.1966, after following the procedures contemplated under the Act and a Deed was registered as Document No.2130/1968 on the file of Sub Registrar Office at Dharapuram. Once, the document has been registered in the name of Bhoodan Board under the Bhoodan Yagna Act, the property absolutely vests with the Board and thereafter, it was distributed to the landless poor people by way of assignments to protect their livelihood. The title vests with the Board, cannot be transferred to anybody and the land will be utilised only to protect the livelihood of downtrodden people. In order to achieve the noble cause, the Board was constituted for the virtue of an enactment and the Rules framed thereunder.

4. In the present case, the procedures as contemplated under the Act



and Rules were scrupulously followed for issuance of declaration and notification was issued and document was also registered before the Sub Registrar Office, Dharapuram. That being the case, the petitioner being a subsequent purchaser, purchased the property in the year 1981, has no right to claim property and thus, the order impugned, cancelling the patta is in consonance with the provisions of the Bhoodan Yagna Act, 1958.

5. Let us now consider the provisions of “Tamil Nadu Bhoodan Yagna Act, 1958”(hereinafter referred as “Act XV of 1958”)

(I) Section 2(a) defines “Bhoodan Yagna” means the movement initiated by Shri Acharya Vinobha Bhave for the acquisition of lands through voluntary gifts for distribution to landless poor persons, co-operative societies or Sarvodaya Panchayats or for community purposes.

(ii) Section 2(f) defines “landless poor person” means a person who either is not an owner of land or an owner of land which does not exceed the limits prescribed in this behalf and whose annual income does not exceed such sum exceeding twenty-five thousand rupees as may be prescribed.

6. The Board was established under the Act and more specifically, section 11 of the Act states about ‘Vesting of lands in the State Board’, which reads as follows:

11. Vesting of lands in the State Board

All lands donated for purposes of the Bhoodan yagna whether before or after the commencement of this Act shall



subject to the provisions of sections 16,17 and 20 vest in the State Board.

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7. Section 16 deals about 'Donation of land'. Section 17 contemplates 'Hearing of objections'. Section 20 deals with "Donation of land made prior to commencement of Act'. Section 20 would be relevant in the present case, since the donation, in the present case, was given on 08.01.1956 and thereafter, the procedures as contemplated under Sections 16 & 17 were followed. After final declaration and notification, the document came to be registered in Document No.2130/1968 on the file of the Sub-Registrar, Dharapuram. The detailed procedures to be followed under the provisions of the Act are also enumerated under the Tamil Nadu Bhoodan Yagna Act, 1958. Once the procedures were followed and the documents came to be registered before the Sub -Registrar Office, title absolutely vests with the Bhoodan Board and thereafter, no one can claim including the donar of the land. Donation culminated into registration under the Act became final and in the present case, it was registered as Doc.No.2130/1968 on the file of Sub-Registrar, Dharapuram.

8. As far as the petitioner is concerned, he purchased a small extent of land in the year 1981. When the predecessor to title lost their title by virtue of declaration issued under the Act XV of 1958, the petitioner/subsequent purchaser cannot claim better title based on the sale deed executed by his vendor. If at all any suppression of fact or fraudulent registration is made by



the vendor to the petitioner, he may redress his grievance by instituting appropriate proceedings against the vendor and certainly not against the Bhoodan Board, since the subject property was registered in the name of the Board in Doc.No.2130/1968.

9. The present impugned order is all about cancellation of patta under the provision of Tamilnadu Patta Passbook Act, 1983. The revenue authorities conducted enquiry by following the procedures contemplated under the Patta Passbook Act as well as the rules framed thereunder and cancelled the patta after recording the fact that the subject property absolutely vests with Bhoodan Board and all procedures as contemplated under Act XV 1958 and the Rules framed thereunder, were followed. The entire actions were initiated based on the complaint for removal of the encroachments and pursuant to the orders of this Court for removal of encroachments from the Board's property. Thus, this Court does not find any perversity in respect of the order impugned passed by the District Revenue Officer in proceedings dated 29.09.2022 and the same stands confirmed. Thus, Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S.,J.) (C.K.,J.)
25-02-2026

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

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**S.M.SUBRAMANIAM J.
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