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W.P.No.31467 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2026

Coram

The Honourable **Mr.Justice Krishnan Ramasamy**

W.P.No.31467 of 2024

THE QAUIDE MILLETH EDUCATIONAL AND
SOCIAL TRUST REP. BY ITS GENERAL SECRETARY
M.G. DAWOOD MIAKHAM No.82
STERLING ROAD, NUNGAMBAKKAM,
CHENNAI 600 034.

...Petitioner

Vs.

- 1 THE GOVERNMENT OF TAMIL NADU
REP. BY ITS PRINCIPAL SECRETARY TO
GOVERNMENT ENVIRONMENT AND FOREST DEPARTMENT
FORT ST. GEORGE, SECRETARIAT CHENNAI 600 009.
- 2 THE COMMISSIONER OF LAND ADMINISTRATION
LAND ADMINISTRATION DEPARTMENT
GOVERNMENT OF TAMILNADU EZHILAGAM
TIRPLICANE CHENNAI 600 005
- 3 THE PRINCIPAL CHIEF CONSERVATOR OF FOREST
FOREST HEAD QUARTERS BUILDING
NEAR KANNIGAPURAM CHECK POST GUINDY
VELACHERY MAIN ROAD, GUINDY CHENNAI 600 032
- 4 THE CONSERVATOR OF FOREST
OFFICE OF CONSERVATOR OF FOREST
CHENNAI 600 015.
- 5 THE DISTRICT FOREST OFFICER
CHENGALPET DIVISION CHENGALPET DISTRICT



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6 THE DISTRICT COLLECTOR
CHENGALPET CHENGALPET DISTRICT.

7 THE REVENUE DIVISIONAL OFFICER
TAMBARAM CHENGALPET DISTRICT.

8 THE TAHSILDHAR
TAMBARAM TALUK CHENGALPET DISTRICT.

...Respondents

Prayer

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondents to take necessary steps to effect the change of name in the revenue records to an extent of 10.67 acres in S. No 273/A situated at Medavakkam Village, Tambaram Taluk, Chengalpet District and issue patta to the petitioner trust viz. Quaide Milleth Educational and Social Trust based on the representations dated 28.03.2022 and 20.05.2022.

For Petitioner : Mr.K.Balu

For Respondents 1, 3 to 5 Mr. V.Veluchamy AGP

For Respondents 2, 6 to 8 : : Mr.T.K.Saravanan AGP

Order

Heard Mr.K.Balu learned counsel appearing for the petitioner, Mr. V.Veluchamy, learned Additional Government Pleader for respondents 1, 3 to 5 and Mr.T.K.Saravanan, learned Additional Government Pleader for respondents 2, 6 to 10.



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2. This Writ Petition is filed seeking for the following prayer:-

i) For issuance a mandamus directing the Respondents to take necessary steps to effect change of name in the revenue records to an extent of 10.67 acres of land in S.No 273/A situated at Medavakkam Village, Tambaram Taluk, Chengalpet District and to issue patta to the petitioner-Trust viz. Quaide Milleth Educational and Social Trust based on the representations dated 28.03.2022 and 20.05.2022.

3. The learned counsel appearing for the petitioner would submit that the petitioner-Trust was assigned a land measuring an extent of 40 acres in Nanmangalam Reserved Forest, Saidaput Taluk, in the year 1975; however, citing the reason that only an 10.67 acres of land alone was utilized by the petitioner and the remaining an extent of 29.33 was unutilized, the first respondent-Forest Department issued a G.O.Ms.No.226 dated 25.09.2012 for resumption of the said unutilized land.

3.1 The learned counsel for the petitioner fairly submitted that the petitioner-Trust have now restricted their relief; that they would be satisfied, in the event, if the respondent No.5 and 8 are directed to issue NOC for construction of the building in the land, morefully described in the prayer portion of this Writ Petition and also for a direction to the Revenue



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Authorities to effect change of name in the revenue records and to issue patta in the name of the petitioner-Trust in respect of the said land.

4. The learned State Counsel for the respondents would submit that the representations made by the petitioner-Trust would be considered by the respondents 5 and 8 in accordance with law and appropriate orders would be passed with regard to issuance of NOC to the petitioner and also for effecting necessary changes in the revenue records in regard to the aforesaid land and patta would be issued in the name of the petitioner within the time as stipulated by this Court.

5. I have given due consideration to the submissions made by the learned counsel for the parties and perused the materials placed record.

6. It is an undisputed fact that, initially, in the year, 1975, a land measuring an extent of 40 cents at Nanmangalam Reserved Forest, Saidapet Taluk was assigned to and in favour of the petitioner-Trust vide order passed by the Government in G.O.(Ms) No.18 dated 10.01.1975 for the purpose of putting up construction in the land. Though the petitioner-Trust was able to



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make use of the land only to an extent of 10.67 acres, the reason for not using the remaining land, measuring 29.33 acres was purely due to the lethargic attitude on the part of the respondents in not taking immediate steps to remove the trees that were grown in umpteen numbers in the assigned land, despite the petitioner-Trust was incessantly requesting the respondents to remove and cut-down the Trees.

7. In the interregnum, since the Central Government, in order to protect the Ecology of Forest Land, enacted the Forest (Conservation) Act, 1980, the respondents, citing the said Act, informed the petitioner-Trust that they are going to resume the unutilized portion of the land since non-forest activity is completed banned after coming into of force of Act, 1980. Thereafter, the respondents have also been taking vigorous steps to resume the unutilized portion of the assigned land from the petitioner.

8. Be that as it may, now, the petitioner-Trust have confined their relief and stated that they would be satisfied if necessary mutation takes place in the revenue records by changing the name of the petitioner-Trust and Patta being issued in their favour in respect of the assigned land utilized



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by the petitioner to an extent of 10.67 and also NOC for putting up constructions in the land, inasmuch as, the petitioner-Trust requires the land for the sake of improving the infrastructural facilities in the College by putting up up Class rooms, Libraries, Staff rooms, Computer Labs, etc. In fact, the petitioner-Trust also obtained necessary approval from CMDA, financial assistance from various Government Agencies and also sanction from University Grants Commission for putting up such infrastructural facilities in the College.

9. Thus, it is too unfortunate that when the petitioner, who has been assigned with 40 acres of land way back in the year 1975 for the purpose of carrying out educational activities and also paid entire consideration for the said land immediately on such assignment and who was in fact shown leniency by the Government in not resuming remaining extent of 10.67 acres of land (since the petitioner utilized the land only to the said extent) is unable to relish the same as on date, despite, he having relinquished their the lion's share over the land, measuring an extent of 29.33 acres. The respondents failed to realize the fact at the time of assignment made by the Government, vide G.O.Ms.No.18 of Forest and Fisheries Department dated



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10.01.1975, it was stated that the trees may be cut and cleared by the Forest Department, and it is due to their inaction, the petitioner-Trust was unable to use the entire land but only to the extent utilized by the Petitioner-Trust, they were given rights.

10. Thus, this Court is inclined to once again reiterate that the respondents knowing fully well that the petitioner-Trust their lost right over the unutilized land only on account of the failure on the part of the respondents in not acceding to the request made by the petitioner-Trust by taking immediate steps for removing the trees grown in the unutilized land, instead of considering the claim of the petitioner-Trust in a magnanimous manner has dragged the issue for these all years, . The inaction on the part of the respondents in not discharging their mandatory duty makes this Court to arrive at a only conclusion that the respondent-Official would only indulge in vainglory stating that they are functioning for the welfare of the people, but when its come fulfillment/discharge/execution/implementaion of their mandatory duty, they would refrain from doing so under some pretext or other, as if, they are giving from their own pockets.



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11. This Court feels that the speed in which, the respondents-officials have acted in getting back the remaining extent of land citing the reasons that the same remain unutilized by the petitioner-Trust citing the Forest Conservation Act, 1980, with the same speed, they could have acted in returning the utilized land back to the petitioner-Trust as and when such a request has been made by the petitioner-Trust. The respondents have also failed to consider the main aspect that the subject land was assigned to and in favour of the petitioner-Trust by the respondent-Forest Department in the year 1975, as, the petitioner-Trust is running an Educational Institution with a good intention to promote education with a view to remove the ignorance, illiteracy, and upliftment of the standard of downtrodden and deprived minority classes, which is admittedly not for their well being, but for the well being of the students.

12. Therefore, this Writ Petition is disposed of by directing the respondents 5 and 8 to consider the petitioner's representations dated 28.03.2022 and 20.05.2022 on merits and in accordance with law and dispose of the same by passing final orders and thereby, issuing NOC in favour of the petitioner for the purpose of making further constructions in



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the land and also mutating the revenue records by changing the name of the petitioner and issue patta in respect of the land, measuring to an extent of 10.67 acres in S. No 273/A situated at Medavakkam Village, Tambaram Taluk, Chengalpet District within within a period of eight weeks from the date of receipt of a copy of this order.

13. This Writ Petition is disposed of with the above observations and directions. No costs.

14. Post the matter on 01.06.2026 for reporting compliance of this order.

11.03.2026

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Index : yes/no

Neutral Citation : yes/no



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