



W.P. Nos.31023 of 2023
and etc. batch

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED:23.06.2026

CORAM:

THE HON'BLE MR. JUSTICE M. DHANDAPANI

W.P. Nos.31023 of 2023,
6202, 6222, 6225 6228 and 6232 of 2024
and
W.M.P. Nos.30672 of 2023,
6875, 6876, 6901, 6902, 6904, 6906, 6909,
6910, 6916 and 6917 of 2024

In W.P. No.31023 of 2023

Chinnappan

..Petitioner(s)

Vs

1. The Sate Of Tamil Nadu,
Rep, By The Secretary To Government ,
Environment And Forest Department, Fort St.
George, Chennai 600 009.
2. The District Collector
Namakkal District, Namakkal.
3. The Tahsildar,
Rasipuram Taluk, Namakkal District.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus call for the records of the second respondent pertaining to the impugned order passed by the 2nd respondent in Na.Ka.No. 8916/ 2014/ L1 dated 30.7.2014 and quash the same and further direct the 2nd respondent to issuance of patta to the petitioner for the Lands comprised in Un-survey Block no.-2 ad-measuring an extent of 1.20 Hectares which is situated at Naraikinaru village, Rasipuram TK Namakkal district within the time frame as fixed by this Court.



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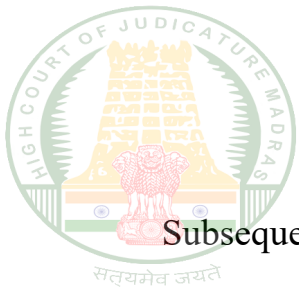
For Petitioner : Mr.D.Babu Varadharajan
For Respondents : Mr.M.Sivavarthanan,
Govt. Counsel

COMMON ORDER

Since the issues involved in these writ petitions are identical and arise out of similar orders passed by the 2nd respondent rejecting the petitioners' requests for survey and issuance of patta in respect of the lands under their occupation, all these writ petitions are taken up together and disposed of by this common order.

2. The petitioners claim that they are agriculturists and that they and their predecessors-in-title have been in possession and enjoyment of the respective extents of lands situated in Naraikinaru Village/ Mathuruttu Village, Rasipuram Taluk, Namakkal District, for several decades. According to them, the lands have been cultivated from time immemorial and their possession traces back to their ancestors.

3. It is the case of the petitioners that the subject lands were originally proposed for declaration as Reserved Forest under Section 4 of the Tamil Nadu Forest Act, 1882 pursuant to the proceedings issued by the Government.



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Subsequent notifications under Section 6 of the Act were also issued inviting objections and claims regarding the existing rights over the lands.

4. It is further averred that they had approached the Forest Settlement Officer by filing appropriate proceedings under the provisions of the Tamil Nadu Forest Act asserting their rights and continuous possession over the subject lands. According to the petitioners, orders were issued respondents recognizing their occupation and excluding certain extents from the proposed reserve forest area. When such being the position petitioners submitted representations before the revenue authorities seeking survey of the respective survey block and issuance of patta in their favour. However, the same were rejected by the impugned orders all dated 30.07.2014 on the ground that the lands under occupation of the petitioners are classified as Reserved Forest lands and, therefore, no patta can be granted.

5. Learned counsel appearing for the petitioners submitted that the petitioners are in occupation of unsurveyed blocks, which, according to them, have not been finally classified as Reserved Forest lands. He further submitted that the State Government has issued G.O.Ms.No.189, Revenue and Disaster Management Department, dated 06.05.2022, providing for survey and



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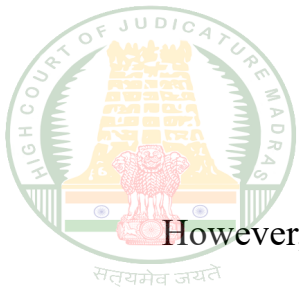
determination of the classification of such lands. Therefore, liberty may be

granted to the petitioners to approach the respondents after completion of the survey proceedings. In the light of the above, he prayed for issuance of appropriate directions.

6. Learned Government Counsel appearing for the respondents submitted that the lands claimed by the petitioners are classified as forest lands and, therefore, the petitioners are not entitled to seek patta. He contended that G.O.Ms.No.189 dated 06.05.2022 applies only to revenue lands and not to forest lands and that the impugned orders do not call for interference.

7. Heard the rival submissions made by learned counsel on either side and perused the materials placed on record.

8. The petitioners claim long-standing possession and cultivation of the lands comprised in various survey blocks situated in Naraikinaru / Mathuruttu Village, Rasipuram Taluk, Namakkal District. The petitioners sought survey of the lands and issuance of patta in their favour. It is the specific case of the petitioners that the lands which are occupied by them are unsurveyed blocks.



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However, the 2nd respondent rejected the request, vide impugned orders all

dated 30.07.2014 on the ground that the lands are classified as Reserved Forest

lands and, therefore, the petitioners are not entitled to patta.

9. Further, it is the contention of the petitioners that the issue regarding classification of the subject area has not attained finality, and in view of the submission made on behalf of the petitioners that survey proceedings are contemplated in terms of G.O.Ms.No.189 dated 06.05.2022, this Court is of the view that the petitioners can be permitted to work out their remedies viz., for issuance of patta in their favour before the respondents after completion of the survey proceedings.

10. Accordingly, without expressing any opinion on the merits of the respective claims of the petitioners and without interfering with the impugned orders, this Court issues the following directions :-

i) Petitioners are directed to submit fresh representations to the respondents / authorities concerned to survey the subject land, which are occupied by the petitioners along with all relevant documents in support of their claim as well as sought for issuance of patta.



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ii) On receipt of such representations, the respondents shall

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conduct a survey in terms of G.O.Ms.No.189 dated 06.05.2022 and consider the same, verify the nature and classification of the respective lands and pass appropriate orders, strictly in accordance with law, on their own merits and after affording an opportunity of hearing to the concerned parties.

11. With the above observations, all the writ petitions stand disposed of.

No costs. Consequently, connected miscellaneous petitions, are closed.

23.06.2026

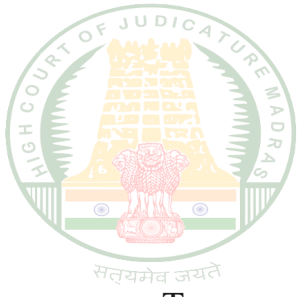
Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

Note : Registry is directed to type cause title of remaining Writ Petitions.

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To :
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1. The State Of Tamil Nadu,
Rep, By The Secretary To Government , Environment And Forest
Department, Fort St. George, Chennai 600 009.
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Namakkal District, Namakkal.
3. The Tahsildar,
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