



WP(MD). No.5076 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 10.02.2026

CORAM

THE HONOURABLE MR. JUSTICE **KRISHNAN RAMASAMY**

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Amma Subramanian @ Subramani

... Petitioner

Vs

1. The District Collector,
Collector Office,
Pudukottai, Pudukottai District.

2. The Tahsildhar,
Taluk Office,
Ponnamaravathi Taluk,
Pudukottai District.

3. Maiyappan

4. Sundaram,

5. Chinnaiah

... Respondents

PRAYER :-

Writ Petition filed under Article 226 of the Constitution of India,
praying this Court to issue a Writ of Mandamus, directing the
respondents 1 and 2 to register the petitioner's name in the Register



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maintain under The Tamil Nadu Agricultural Lands Record of Tenancy Rights Act, 1969 with regard to the properties situated at Survey Nos. 153/3B, 198/8, 183/1, 153/4, 153/6, 171/3B, 173/4, 178/13, 178/5, 186/3B, 143/9A1, 180/19, 180/9, 181/1, 182/13A, 182/13B, 182/13D, 182/18, 182/20A, 182/23, 182/24, 182/25, 182/26, 182/31, 182/8 and 182/13C, Ponnamaravathi East Village, Ponnamaravathi Taluk, Pudukottai District on the basis of the representation of the petitioner dated 23.11.2023 within a stipulated period.

For Petitioner : Mr.B.Rajesh Saravanan,

For Respondents : Mr.K.Balasubramani,
Spl. Govt. Pleader for R1 & R2
R3 Died
R4 No Appearance
Mr.R.A.Swaminathan for R5

ORDER

This Writ Petition is filed seeking a direction to the respondents 1 and 2 to register the petitioner's name in the Register maintain under “The Tamil Nadu Agricultural Lands Record of Tenancy Rights Act, 1969” (hereinafter referred to as “the Act”) with regard to the properties situated at Survey Nos. 153/3B, 198/8, 183/1, 153/4, 153/6,



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171/3B, 173/4, 178/13, 178/5, 186/3B, 143/9A1, 180/19, 180/9, 181/1, 182/13A, 182/13B, 182/13D, 182/18, 182/20A, 182/23, 182/24, 182/25, 182/26, 182/31, 182/8 and 182/13C, Ponnamaravathi East Village, Ponnamaravathi Taluk, Pudukottai District, on the basis of the representation of the petitioner dated 23.11.2023 within a stipulated period.

2. According to the petitioner, the subject properties are belonged to Subbaiah Chettiar, who is the father of respondents 3 to 4. After his death, the subject properties are owned by respondents 3 to 5. The petitioner's father was carried agricultural activities in the above properties and paying the lease amount on weekly basis. After the death of his father, the petitioner has been carrying out agricultural activities on the subject properties. He obtained a certificate from the VAO on 11.03.1999, confirming that he is cultivating the subject properties. On this strength, the petitioner has filed an application before the 2nd respondent seeking to register his name under Section 5 of the Act, with regard to the above properties. In this regard, the petitioner has also sent a representation on 23.11.2023. Since the respondents have not taken



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any action to register the petitioner's name under the Act, the petitioner has filed this Writ Petition.

3. However, the learned counsel appearing for the contesting 5th respondent made strong objections stating that there is no truth in the submission made by the petitioner that he is the cultivating tenant and he is entitled to register his name under the Act, in respect of the subject properties. He would further submit that the petitioner is a land grabber and with a *mala fide* intention to grab the subject property, he fabricated the documents and obtained certificate from the VAO. He would further submit that no agreement was entered and no other proof has been filed to establish the contention of the petitioner. Respondent No.3 is no more and the subject properties are in possession of the legal heirs of respondent No.3 and the respondents 4 and 5. Therefore, with a *mala fide* intention to grab the subject properties, the petitioner has filed this Writ Petition.

4. This Court heard the submissions made by the learned counsel appearing on either side and perused the materials available on record.



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5. The petitioner has filed this Writ Petition seeking to register his name in the register maintained under the Act. In order to register his name under the Act, the petitioner has to prove that there was an agreement for tenancy. The term ‘tenant’, as used in the Act, has the same meaning as ‘cultivating tenant’ as defined under the Tamil Nadu Cultivating Tenants Protection Act, 1955 (Tamil Nadu Act 25 of 1955). The definition of ‘cultivating tenant’ under the Tamil Nadu Cultivating Tenants Protection Act, 1955 is as follows:

“2(aa) -Cultivating tenant?-

(i) means of person who contributes his own physical labour or that of any member of his family in the cultivation of any land belonging to another, under a tenancy agreement, express or implied;”

6. A reading of the above Section 2(aa) clearly shows that there must be an agreement. In the present case, admittedly there was no agreement, though the petitioner claiming that they are in possession of 60 years. Further, no such agreement was filed before this Court by the petitioner to prove his contention. Further, a reading of Section 2(aa)(iii) of the Tamil Nadu Cultivating Tenants Protection Act, 1955 clearly



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shows that a cultivating tenant does not include a mere intermediary or his heir. Therefore, the petitioner cannot be considered a cultivating tenant.

7. In view of the above, this Writ Petition is nothing but an attempt to grab the land by fabricating documents. Therefore, this Court is not inclined to entertain the Writ Petition, and the same is liable to be dismissed.

8. Accordingly, this Writ Petition is dismissed. There shall be no order as to costs.

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Index : Yes/No

NCC : Yes/No

VSM



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KRISHNAN RAMASAMY, J.

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