



W.P.(MD) No.12467 of 2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.12467 of 2020

G.Arumugam

.. Petitioner

Vs.

- 1.The District Collector,
Collectorate Building,
Dindigul District.
- 2.The District Revenue Officer,
Collectorate Building,
Dindigul.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul.
- 4.The Tahsildar,
Dindigul East Taluk Office,
Dindigul.
- 5.The Town Surveyor,
Dindigul City Municipal Corporation,
Dindigul.



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6.The Commissioner,
Dindigul City Municipal Corporation,
Dindigul District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing Respondents No.1 to 4 to consider th petitioner's representation dated 15.07.2020 and to issue a Free House Site Patta in favour of the petitioner's wife namely Mrs.Muthulakshmi within the time fixed by this Court.

For Petitioner	:	Ms.T.Lavanya
For RR1 to 5	:	Mr.A.Sivanupandian Government Advocate
For R6	:	Mr.M.Thirunavukkarasu Standing Counsel

ORDER

The petitioner has moved this Court seeking Mandamus, directing respondents 1 to 4 to consider his representation dated 15.07.2020 and issue a free house site patta in favour of his wife within stipulated time.



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2. It is the contention of the petitioner that the Government of Tamil Nadu has taken a policy decision to grant free house site patta to landless poor, who have been in long and continuous possession of the Government poramboke land. Therefore, considering the fact that the petitioner's wife has been in continuous possession of the property, the same must be assigned to her.

3. However, learned Government Advocate appearing for respondents 1 to 5 and the learned Standing Counsel appearing for the sixth respondent would submit that the petitioner is seeking to have the patta granted in respect of the property situate in a tank poramboke, which is prohibited.

4. From the submissions of the learned counsels for the respondents, it is clear that the petitioner cannot be granted a patta in respect of a property in which his wife is in possession, since it is classified as 'tank poramboke'. Therefore, the request made in this writ



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petition cannot be granted and the writ petition is liable to be dismissed.

Accordingly, this Writ Petition is dismissed. However, it is made clear that the respondents could consider offering an alternate property to the petitioner. No costs.

30.06.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes

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P.T.ASHA, J.

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