

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 22.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.17610 of 2015

1 S.Saraswathi
2 V.Madeswaran
3 Govindammal
4 M.Pachaiappan
5 M.Govindaraj
6 M.R.Alamelu
7 Sivagami
8 P.Kulantahivel
9 V.Thangaraj
10 M.Mala
11 R.Thangamani
12 A.Amudha ... Petitioners

Versus

1 The District Collector
Collector Office Salem Salem District.
2 The Thasildar
Mettur Salem District.
3 The Special Tahsildar
Nagara Nilavari Thittam Mettur
Salem District ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, directing the second and third respondents to issue house site patta to the petitioners based on the communication issued by the third respondent in O.Mu.No. 19/2014 (Mu.Ni.Va) dated 09.07.2014.

For Petitioners : Mr.P.Kannan Kumar

For Respondents : Mr.S.V.Duraisolaimalai
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2. The petitioners claim that they are residents of following survey numbers for many years and it is relevant to extract the same.

Sl.No	Name of the petitioner	Survey No.	Years of residing
1	S.Saraswathi	Survey No.13/2	More than 20 years
2	C.Madeswaran	D-Block, No.1,9,10	More than 21 years
3	Govindammal	D-Block, No.1,9,10	More than 10 years
4	M.Pachaiappan	D-Block, No.1,9,10	More than 30 years
5	M.Govindaraj	D-Block, No.1,9,10	More than 18 years
6	M.R.Alamelu	D-Block, No.1,9,10	More than 22 years
7	Sivagami	D-Block, No.1,9,10	More than 20 years
8	P.Kulanthaivel	D-Block, No.1,9,10	More than 15 years
9	V.Thangaraj	D-Block, No.1,9,10	More than 12 years
10	M.Mala	D-Block, No.1,9,10	More than 15 years
11	R.Thangamani	D-Block, No.1,9,10	More than 10 years
12	Amudha	D-Block, No.1,9,10	More than 18 years

3. The petitioner would further state that they are poor landless persons and they do not own any property and eking out their livelihood by doing coolie work and they had also constructed house on the above said lands. The said properties are also subjected to statutory levies. The petitioners had approached the respondents to issue house site pattas to them and on 03.07.2014, they have separately sent representations to that effect and the 2nd respondent in turn has forwarded the same to the 3rd respondent for appropriate action and since, no action has been taken so far, came forward to file this writ petition.

4. The learned counsel appearing for the petitioners has drawn the attention of this Court to Government Order Ms.No.34, Revenue (LDI (2)) Department dated 23.01.2008 and would submit that under the said Government order, the eligibility criteria for issue of house site patta has been reduced from 10 years to 5 years and in fact the office of the 3rd respondent had also sent individual communications dated 09.07.2014 to the petitioners to produce necessary documents to prove their ownership for 30 years and though, according to the petitioners, they have responded to the same, no orders came to be passed and hence, they are constrained to approach this Court by filing this writ petition.

5. Heard the submissions of Mr.P.Kannan Kumar, learned counsel for the petitioners and Mr.S.V.Duraisolaimalai, learned Additional Government Pleader, who accepts notice for the respondents.

6. This Court, taking into consideration the above facts and circumstances and without going into the merits of the claim projected in this writ petition, permit the petitioners to submit one more individual representation to the respondents within a period of two weeks from the date of receipt of a copy of this order and the respondents 2 and 3, on receipt of the same, are directed to consider the individual representations, in accordance with law, and pass orders, within a period of six weeks, thereafter and communicate the decision taken, to the petitioners.

7. The writ petition is disposed of, accordingly. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

To

- 1 The District Collector
Collector Office Salem Salem District.
- 2 The Thasildar
Mettur Salem District.
- 3 The Special Tahsildar
Nagara Nilavari Thittam Mettur
Salem District

+1 cc to Mr.P.Kannankumar, Advocate,SR.30458

+1 cc to Government Pleader,SR.30567.

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krd 29/6

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