

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.03.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.10558 of 2016

Vasantha

.. Petitioner

Vs.

1. The District Collector, Salem District.

2. The Tahsildar, Mettur Taluk,  
Salem District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the second respondent, the Tahsildar, Mettur Taluk, to issue patta to the petitioner in respect of Door No.E-26, Kooli Line, Mettur, Mettur Taluk, Salem District, considering the representation, dated 21.07.2015.

For Petitioner : M/s.Sumithra Vasudevan

For Respondent : Mr.P.Sanjay Gandhi, Addl.G.P.

ORDER

The petitioner has filed this Writ Petition praying for issuance of a Writ of Mandamus to direct the second respondent to issue patta to the petitioner in respect of Door No.E-26, Kooli Line, Mettur, Mettur Taluk, Salem District, considering the representation, dated 21.07.2015.

2. It is averred by the petitioner in the affidavit filed in support of the Writ Petition that she is residing in the above address and working as Scavenger in Mettur Municipality for the past 18 years. She married one Paramasivam and got one daughter. She has produced Family Card, Election Identity Card and Salary Certificate, in proof of the petitioner residing in the above address. The said house measures 15 feet as breadth and 30 feet as length and it is a tiled house and it is in her possession and enjoyment without any hindrance for the past 30 years. The petitioner's husband died 20 years back. The petitioner made a representation, dated 21.07.2015 to the respondents for issuance of patta in respect of the above said property. Since no action is taken, the petitioner has filed

this Writ Petition for the above relief.

3. Heard both sides.

4. Taking into consideration the factual aspects of the matter, without going into the merits of the case, this Court directs the second respondent to consider the said representation, dated 21.07.2015 of the petitioner and after conducting enquiry and giving an opportunity of personal hearing to the petitioner and necessary parties, pass appropriate orders and dispose of the said representation, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim of the petitioner and it is for the second respondent to decide the same.

5. With the above observations and directions, the Writ Petition is disposed of. No costs.

-s/d-  
Assistant Registrar

True Copy

Sub-Assistant Registrar

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Copy to

1. The District Collector, Salem District.
2. The Tahsildar, Mettur Taluk, Salem District.

+1 cc to M/s.B.Vasudevan Advocate sr.17983  
+1 cc to Government pleader sr.18390

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