

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.13235 of 2016

Pavayee

..Petitioner

Vs.

1. The District Collector,
Salem District.

2. The Tahsildar,
Mettur Taluk,
Salem District.

...Respondents

Writ Petition filed under Article 226 of Constitution of India praying for issuance of Writ of Mandamus directing the 2nd respondent, the Tahsildar, Mettur Taluk to issue patta to the petitioner in respect of Old Door No.E-45, New No.303, Kooli Line, Mettur, Mettur Taluk, Salem District by considering the representation dated 21.7.2015.

For Petitioner : Mr.B.Vasudevan

For Respondent : Mr.V.S. Ramesh
Govt. Advocate

O R D E R

The present Writ Petition has been filed praying for issuance of mandamus upon the 2nd respondent to issue patta to the petitioner in respect of Old Door No.E-45, New No.303, Kooli Line, Mettur, Mettur Taluk, Salem District by considering her representation dated 21.7.2015.

2. Heard the learned counsel for petitioner and the learned Government Advocate, who took notice for the respondents.

3. The petitioner has been residing in Old Door No.E-45, New No.303, Kooli Line, Mettur, Mettur Taluk, Salem District for the past 31 years and she was employed as scavenger in Mettur Municipality for the past 18 years. She got married one Sundaram 35 years back and has got two children. She is maintaining a tiled house in the above said property measuring

15 feet breath and 30 feet length and she has been in possession and enjoyment of the above said property for the past 30 years without any hindrance. Her husband had died ten years ago. Whiles, she gave a representation to the respondents on 21.7.2015 requesting to issue patta in her favour in respect of the above said property. Despite the same, they did not consider her representation dated 21.7.2015 and the same is kept pending till date. Since her representation has been kept pending without initiating any action, she has filed the present writ petition.

4. Considering the submissions of the learned counsel for petitioner, this Court, in the interest of justice, without going into the merits of the case, directs the petitioner to give a fresh representation along with a copy of this order enclosing all the necessary documents within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the 2nd respondent is directed to consider her representation requesting for issuance of patta in respect of above said property by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any, and pass appropriate orders on merits and in accordance with law within a period of eight weeks thereafter.

5. With the above direction, this Writ Petition is disposed of. No costs.
sr

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

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

+ 1 cc to The Govt.Pleader, Sr 22494

KR/2/6/16

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