

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.16115 of 2016

R.Radhamani

... Petitioner

Vs.

1. The District Collector,
Salem District, Salem.

2. The Revenue Divisional Officer,
Mettur, Salem District.

3. The Tahsildar,
Mettur, Salem District.

... Respondents

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the third respondent to issue the patta in the name of the petitioner at survey no.486 an extent of land of 1200 sq.ft at Mettu Thanapatty, Andikarai Post, Konur Village, Mettur Taluk, Salem District in view of the petitioner representation dated 02.04.2016.

For Petitioner : Mr.A.Esakkiappan

For Respondents : Mr.M.Dig Vijaya Pandian,
Additional Government Pleader

ORDER

The petitioner has come up with the present writ petition for a mandamus, directing the third respondent to issue patta in respect of her land in Survey No.486 measuring to an extent of 1200sq.ft at Mettu Thanapatty, Andikarai Post, Konur Village, Mettur Taluk, Salem District, by considering her representation dated 02.04.2016.

2. It is the case of the petitioner that the petitioner and her family members are residing at Survey No.486 measuring to an extent of 1200 sq.ft at Mettu Thanapatty, Andikarai Post,

Konur Village, Mettur Taluk, Salem District for the past 30 years. She has been in possession and enjoyment of the same from 1985 onwards. Further, she has also possessed electricity service connection, property tax, ration card and Aadhar Card in her name with the said address. However, she has not obtained patta in respect of her land. Hence, she made a request on several occasions to the third respondent requesting to issue patta in her name in respect of her land. However, the said request was not considered so far.

3. It is the further case of the petitioner that similarly placed persons, who are the neighbours of the petitioner, viz., one Lakshmi and Vijaya have been issued with patta bearing nos.674 and 675 respectively in respect of their respective lands at Survey Nos.486/9 and 486/10 by the third respondent. Further, the petitioner has recently constructed a house and is living with her family. Hence, she made a representation dated 02.04.2016 to the third respondent requesting to issue patta. However, till date, no order has been passed by the third respondent. Therefore, the petitioner has approached this court with the present writ petition for the above stated relief.

4. Heard the learned counsel for the petitioner and the Additional Government Pleader, who took notice for the respondents.

5. Considering the facts and circumstances of the case, this Court directs the third respondent to consider the representation of the petitioner dated 02.04.2016, by affording an opportunity of personal hearing to the petitioner as well as to all the necessary parties, if any and pass appropriate orders with regard to grant of patta in respect of the land in S.No.486, Mettu Thanapatty, Andikarai Post, Konur Village, Mettur Taluk, Salem District. It is made clear that this Court is not expressing any opinion with regard to the merits of the claim made by the petitioner and it is for the third respondent to pass appropriate orders purely on merits and in accordance with law. The entire exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

6. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Salem District, Salem.
2. The Revenue Divisional Officer,
Mettur, Salem District.
3. The Tahsildar,
Mettur, Salem District.

+1cc to Mr.A.Esakkiappan, Advocate, S.R.No.26754
+1cc to the Government Pleader, S.R.No.27403

W.P.No.16115 of 2016

AD(CO)
CA(05/05/2016)



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