



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.09.2016

CORAM:

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. (MD) No.14650 of 2016
and

W.MP (MD) Nos.10870 and 10871 of 2016

R. Saroja : Petitioner

Vs.

1. The District Collector,
Pudukkottai District.

2. The Thasildar,
Illuppur Taluk,
Pudukkottai District.

3. The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.

: Respondents

(impleaded as per order dated 07.09.2016
made in WMP (MD).No.12217 of 2016)

Prayer: This Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certioraified Mandamus calling for the records pertaining to the order passed by the 2nd respondent by his proceedings in Na.Ka.No.11687/2015/A3 dated 06.04.2016 and quash the same as illegal and arbitrary and consequently direct the respondents to grant patta or cost assignment for the property in S.F.No.119 of Vadugapatti Village, Illuppur Taluk, Pudukkottai District.

For Petitioner : Mr. K. Baalasundaram
For Respondents : Mr. R. Anandaraj
Additional Government Pleader

O R D E R

The petitioner filed the Writ Petition challenging the order passed by the second respondent refusing to grant house site patta to the petitioner.

2. According to the petitioner, he is a Retired Headmaster and he is in possession and enjoyment of the property in S.F.No.119, situated in Vadugapatti Village, Pudukkottai District. He has been in possession and enjoyment of the said property for several years and he is also paying "B" Memo charges. When he made an application



for grant of Patta, the second petitioner rejected the same, on the ground that the above said Survey Number has been classified as Promoboke Car Tract, and hence, patta cannot be granted to the petitioner.

3. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4. Since the land in question is classified as " Sarkar Promboke" / Vandipathai, house-site patta cannot be granted to the petitioner. Hence, there is no illegality or infirmity or irregularity in the order passed by the second respondent. There is no merits in the writ petition and the same is liable to be dismissed.

Accordingly, the Writ Petition is dismissed. However, liberty is given to the petitioner to approach the competent authority for re-classification of above said land and for grant of patta. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar (writ)

/True Copy/

Sub Assistant Registrar

trp

To

1. The District Collector,
Pudukkottai District.
2. The Thasildar,
Illuppur Taluk,
Pudukkottai District.
3. The Tahsildar,
Viralimalai Taluk,
Pudukkottai District.

+1 cc to Mr. L.BALASUNDHARAM, Advocate, Sr.No: 50770
+1cc to M/S Special Government Pleader, Sr No. 50931

JAM/SKS-RR/28.09.16 /2P-6C

W.P. (MD) No.14650 of 2016 and
W.MP (MD) Nos.10870 and 10871 of 2016
07.09.2016