

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.03.2017

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.42904 of 2016

V.Susheela

...Petitioner

Versus

The District Collector
Nagapattinam District
Nagapattinam.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent official to consider sympathetically on petitioner's representation dated 08.09.2016 to issue the free patta to the petitioner in respect of Door No.10, Perumal North Street, Nagapattinam Town comprised in T.S.No.887 of Nagapattinam Village, Nagapattinam Taluk and District for an extent of 480 sq.ft under the "Amma Welfare Scheme".

For Petitioner : Mr.P.Ayyaswamy

For Respondent : Mr.R.S.Selvam
Government Advocate

O R D E R

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

2. This writ petition is filed seeking for a direction to the respondent to consider the petitioner's representation dated 08.09.2016, to issue free patta in favour of the petitioner, in respect of Door No.10, Perumal North Street, Nagapattinam Town comprised in T.S.No.887 of Nagapattinam Village, Nagapattinam Taluk and District for an extent of 480 sq.ft under the "Amma Welfare Scheme".

3. Heard Mr.P.Ayyaswamy, learned counsel appearing on behalf of the petitioner and Mr.R.S.Selvam, learned Government Advocate, appearing on behalf of the respondent.

4. According to the petitioner, she is a resident at

No.10, Perumal Vadakku Veethi, Nagapattinam Town, Nagapattinam for more than fifty years . She further submitted that the land and house in S.No.887, Block No.21 is a Natham Poromboke as per revenue records and it is meant for housing purpose. Hence, she had sent a representation dated 08.09.2016, to the respondent seeking to issue free patta under "Ammu Welfare Scheme".

5. On the other hand, learned Government Advocate appearing on behalf of the respondent, submitted that S.No.887, Block No.21 belongs to the temple and he had also submitted the copy of the Town Survey Register to prove the same. It is further submitted that a civil suit is already pending before this court for the same issue and hence, the writ petition is not maintainable.

6. Considering the submissions made by the learned Government Advocate, this writ petition is not maintainable. Accordingly, the writ petition is dismissed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rm

To

The District Collector
Nagapattinam District
Nagapattinam

+1cc to Mr.Ayyasamy, Advocate, S.R.No.18235

+1cc to the Government Pleader, S.R.No.18318

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KJI (CO)
RS (07/04/2017)

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