



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2017

CORAM

THE HON'BLE MR. JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.19876 of 2015

WEB COPY

Parvathi

: Petitioner

-vs-

- 1.The District Collector,
Ramanathapuram District.
- 2.The Revenue Divisional Officer,
Ramanathapuram.
- 3.The Tahsildar,
Tahsildar Office,
Rameswaram
Ramanathapuram District.
- 4.The Taluk Surveyor,
Rameswaram,
Rameswaram Taluk,
Ramanathapuram District.
[R4 is impleaded, vide court order,
dated 01.03.2016 made in
MP (MD) No.1 of 2015]

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, to direct the respondents to hand over the petitioner physical possession of Plot No.345 in S.R.No.1026/24 situated at Ramakrishnapuram Group and Village, Rameswaram Taluk, Ramnad District, as assigned by proceedings in HDSA No.1235/1410 by the 3rd respondent on 15.03.2001, by implementing the order of the 3rd respondent, dated 09.10.2015.

For Petitioner : Mr.S.Vellaichamy
for Mr.M.V.Venkataseshan

For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

O R D E R

The prayer sought for in this writ petition is to direct the respondents to hand over the petitioner's physical possession in respect of Plot No.345 in S.R.No.1026/24 situated at Ramakrishnapuram Group & Village, Rameswaram Taluk, Ramnad District, as assigned by the 3rd respondent, in his proceedings in HDSA No.1235/1410, dated 15.03.2001, by implementing the order of the 3rd respondent, dated 09.10.2015.

2.The case of the petitioner is that she belonged to fishermen community. The petitioner along with others made representations to



the respondents to allot free house sites. Based on the representations, the Government of Tamil Nadu, granted free house site patta to 204 families in their village in the year 2001.

3. The petitioner would claim that in respect of survey No.1026/24, free patta was issued in her favour to an extent of 2.5 cents by allotting plot No.345. However, physical possession was not given as there were standing trees.

4. Mr. S. Vellaichamy, learned counsel for the petitioner would submit that in the year 2011, the Forest Department has removed the trees and even thereafter, physical possession was not given to the petitioner. Hence the petitioner made representation, on 21.09.2015 to the respondents. Since, no action was taken, the present writ petition has been filed.

5. Mr. A. Muthukaruppan, learned Additional Government Pleader for the respondents, on instructions, would submit that one Kumar has occupied the site allotted to the petitioner and the respondents are ready to consider the representation of the petitioner.

6. In the light of the above facts, this court, without going into the merit of the case, directs the 3rd respondent Tashildar, to take appropriate action on the representation of the petitioner, on merits and in accordance with law, after providing opportunity of hearing to all necessary parties, within a period of eight weeks from the date of receipt of the order copy. Accordingly, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To,

1. The District Collector,
Ramanathapuram District.
2. The Revenue Divisional Officer,
Ramanathapuram.
3. The Tahsildar,
Tahsildar Office,
Rameswaram
Ramanathapuram District.
4. The Taluk Surveyor,
Rameswaram,
Rameswaram Taluk,
Ramanathapuram District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.69372

+1cc to Mr. M. V. Venkateshan Advocate in SR. No.69535

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