



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 16.03.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P (MD) No.4443 of 2017

Sundarammal

..Petitioner

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Thirumangalam Taluk,
Madurai District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to consider the Petitioner's representation dated 28.1.2017 for issuance of patta on merits and in accordance with law, within the time limit stipulated by this Court.

For Petitioner :M/s.K.Hemakarthiskeyan

For Respondents :Mr.M.Alagathevan
Spl.Govt.Pleader

ORDER

The Petitioner has approached this Court seeking issuance of a Writ of Mandamus directing the second respondent to consider the Petitioner's representation, dated 28.1.2017 for issuance of patta on merits and in accordance with law, within the time limit stipulated by this Court

2.Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondents.

3.By consent of both parties, the main Writ Petition is taken up for disposal, at the admission stage itself.

4.According to the Petitioner, She purchased the land in Natham S.No.20/139 and Old.S.No.20/3, measuring an extent of 525 sq.fts in Nakkalakottai Village, Thirumangalam Taluk, Madurai District from one Rajammal by way of registered sale deed, dated 25.1.1999, on the file of the Sub-Registrar Office, Sindhupatti in Document No.42/1999. After purchase of the land, the Petitioner has constructed a house and property tax was assessed by the Panchayat concerned and assigned with D.No.3/183 and the Petitioner and her

family members have been living in the said house.

5.The Petitioner submits that the land in question is classified as Natham in revenue records. According to the Petitioner, Government has issued a G.O(D)No.854, Revenue Department, dated 30.12.2006 stating that person who are in occupation of the Government land for more than ten years are entitled to get house patta and had issued guidelines for issuance of patta. Subsequently, the Government has also modified the earlier Government order and reduced the eligibility Criteria from 10 years to 5 years by G.O.Ms.No.34, dated 23.1.2008.

6.The Petitioner, in that circumstances, her made a representation to the respondents on 28.1.2017 and according to him, the representation is kept pending without any action being taken. Therefore, the Petitioner has come before this Court for issuance of a Writ of Mandamus as stated supra.

7.The learned Special Government Pleader appearing for the respondents has no objection to issue the direction as prayed for in the Writ Petition, within the time limit fixed by this Court.

8. Considering the limited scope of the prayer sought for by the Petitioner and without expressing any view on the merits of the claim made by the Petitioner and that the learned Special Government Pleader appearing for the respondents has no objection to consider the representation of the Petitioner, the second respondent is directed to consider the representation of the Petitioner, dated 28.1.2017 and pass orders on the same, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

9.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CSII)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Thirumangalam Taluk,
Madurai District.

+1 CC TO M/S.SPECIAL GOVERNMENT PLEADER, SR NO.15584

+1 CC TO M/S.K.HEMAKARTHIKEYAN, ADVOCATE, SR NO.15433

vsn

MAS/RR:28.03.2017:2P-5C

W.P (MD) No.4443 of 2017

16.03.2017