

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8064 of 2018

M.Jency

.. Petitioner

-vs-

1. The District Collector,
Coimbatore District, Coimbatore.

2. The Revenue Divisional Officer,
Coimbatore, Coimbatore District.

3. The Tahsildar,
Coimbatore North Taluk,
Coimbatore District.

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to issue 'Grama Natham' HSD patta to the petitioner for the house in S.F.No.825/12 Part, Old SF No.332/1 in Door No.8/161, CSI Colony, Masagounden Chettipalayam, Annur Taluk, Coimbatore by considering petitioner's representation dated 19.5.2017.

For Petitioner :: Mr.M.A.P.Thangavel

For Respondents :: Mr.V.Jayaprakash Narayanan,
Special Government Pleader

ORDER

The petitioner seeks a direction to the respondents to issue 'Grama Natham' HSD patta to her for the house in S.F.No.825/12 Part, Old SF No.332/1 in Door No.8/161, CSI Colony, Masagounden Chettipalayam, Annur Taluk, Coimbatore by considering her representation dated 19.5.2017.

2. It is the claim of the petitioner that she is in possession and enjoyment of the property in S.F.No.825/12 Part, Old SF No.332/1 in Door No.8/161, CSI Colony, Masagounden Chettipalayam, Annur Taluk, Coimbatore. The said property in S.F.No.825/12 Part also covers excess to an extent of 2.00 cents which is classified as 'Grama Natham in the revenue records for the past several years. But the petitioner has been issued with the Election Card, Aadhar Card, Family Card indicating the said address. Therefore, she has made an application for issuance of patta. It is also stated that she is paying the house tax periodically to the Local Panchayat for the past three years. Hence, the petitioner requested this Court to consider her representation dated 19.5.2017 seeking patta. Since there is no response for the same, she has approached this Court by filing the present Writ Petition.

3. Learned Special Government Pleader, who takes notice on behalf of the respondents submitted that there is some problem with regard to the place in which the petitioner is residing. One Mr.George Williams is said to have demolished the petitioner's house. Therefore, the 3rd respondent will look into the petitioner's representation. He further submitted that the petitioner may be directed to give a fresh application to the 3rd respondent along with necessary documents and on perusal of the same, if there is no impediment, the request of the petitioner would be considered.

4. Recording the submission of the learned Special Government Pleader appearing for the respondents, the petitioner is directed to give a fresh representation to the 3rd respondent, namely, the Tahsildar, Coimbatore North Taluk, Coimbatore District, along with a copy of her Election Card, Aadhar Card, Family Card and other relevant documents, within a period of one week from the date of receipt of a copy of this Order and on receipt of the same, the 3rd respondent shall consider the same on merits and in accordance with law, within a period of eight weeks thereafter.

5. At this stage, the learned Counsel for the petitioner submitted that in view of the bifurcation of Coimbatore North Taluk as Annur and Coimbatore North Taluk, the petitioner has not made the Tahsildar, Annur Taluk as a party, herein.

6. Anyhow, the petitioner is also directed to give a copy of the representation along with the enclosures to be sent to the 3rd respondent herein to the Tahsildar, Annur Taluk also.

7. With the above directions, the Writ Petition is disposed of. No costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

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To

1. The District Collector,
Coimbatore District, Coimbatore.
2. The Revenue Divisional Officer,
Coimbatore, Coimbatore District.
3. The Tahsildar,
Coimbatore North Taluk,
Coimbatore District.
4. The Tahsildar, Annur Taluk,
Coimbatore District.

+1cc to Mr.Ma.P.Thangavel, Advocate in sr.no.26333
+1cc to Government Pleader, in sr.no.25946

W.P.No.8064 of 2018

GJ(CO)
CS/28/04/18

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