

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 30.01.2018
CORAM
THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.30263 of 2013

Santha

...Petitioner

Versus

- 1.The District Collector,
Office of the District Collector,
Villupuram.
 - 2.The Sub-Collector,
Office of the Sub-Collector,
Thindivanam.
 - 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thindivanam, Villupuram District.
 - 4.The Thashildar,
Office of the Thashildar,
Thindivanam.
- ... Respondents

Prayer: The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the 1 to 4 respondents to consider and disposed of the representation of the petitioner dated 18.5.2013 and to issue Patta for the petitioner's house site according to the law.

For Petitioner : Mr.X.Selvam Sounder

For Respondents : Mr.B.Anand

Government Advocate

O R D E R

This writ petition has been filed seeking for a direction to the respondents 1 to 4 to consider and dispose of the petitioner's representation dated 18.5.2013.

2. Heard Mr.X.Selvam Sounder, learned counsel appearing for the petitioner and Mr.B.Anand, learned Government Advocate appearing for the respondents and perused the material documents available on record.

3. The case of the petitioner is that, he belongs to down trodden community. In the year 1980, his family occupied the land in S.No.128/1 at Theevanur Village, Villupuram District, measuring an extent of 3 cents and put up a construction by spending Rs.50,000/-. Subsequently, he has been paid Kist and house tax to the local body.

4. It is further submitted that the land under the occupation of the petitioner is classified as Grama Natham, and her neighbour Ms.Rani was issued with Patta by the respondents on 21.11.2000. Since, the petitioner was not issued with Patta, she had made a representation on 18.5.2013. Since, no favourable order has been passed, the present writ petition.

5. The learned counsel appearing for the petitioner submitted that the petitioner would be satisfied, if a direction is issued to the respondents to consider the representation of the petitioner.

6. The learned Government Advocate appearing for the respondents on instructions submitted that the fourth respondent viz., Thashildar, Tindivanam District, has recommended for issuance of Patta in favour of the petitioner and three other persons, under a special scheme on 29.01.2018. Since, the scheme introduced in the year 2014, is not in force and the application of the petitioner would be considered in accordance with law.

7. In the light of the above facts, this Court without going in to the merits of the case, direct the respondents to consider the representation of the petitioner dated 18.5.2013 and pass appropriate orders on merits and in accordance with law, after providing due opportunity to all necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above direction, this writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

ms

To

1.The District Collector,
Office of the District Collector,
Villupuram.

2.The Sub-Collector,
Office of the Sub-Collector,
Thindivanam.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Thindivanam, Villupuram District.

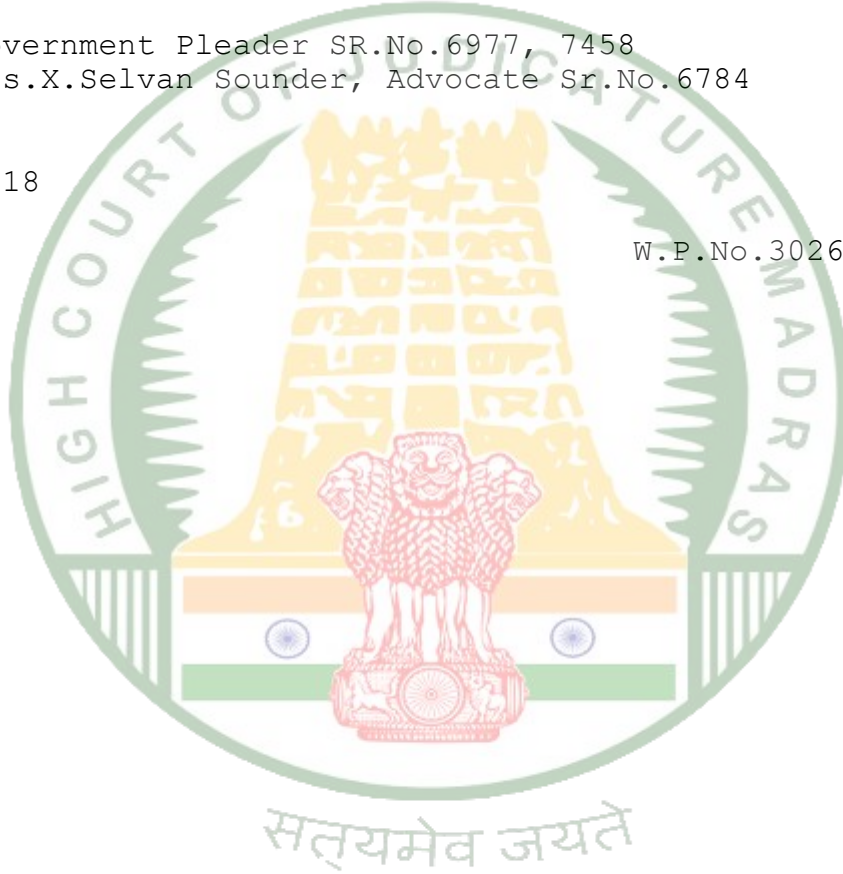
4.The Thashildar,
Office of the Thashildar,
Thindivanam.

+1cc to Government Pleader SR.No.6977, 7458

+1cc to M/s.X.Selvan Sounder, Advocate Sr.No.6784

SS(CO)
sm:20.2.2018

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