

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.08.2018

CORAM

THE HON'BLE MR.JUSTICE R.MAHADEVAN

W.P.No.15189 of 2018

S.Lakshmi

...Petitioner

Vs

1.The Sub Collector/Revenue Divisional Officer,
Mettur Revenue Division,
Mettur Dam-1,
Salem District.

2.The Special Tahsildar,
Town Land Tax Scheme,
Mettur Taluk,
Mettur Dam - 1,
Salem District.

3.The Executive Engineer,
Public Works Department/
Water Resources Organization,
Mettur Dam Division,
Mettur Dam - 1,
Salem District.

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the 2nd respondent to issue house site patta to the petitioner for her house in Town Survey No.1, Block 12, Ward B, Mettur Town, Mettur Taluk, Salem District based on the letter of the 3rd respondent dated 24.10.2008.

For Petitioner : Mr.M.R.Jothimanian

For R1 to R3 : Mr.V.Jayaprakash Narayanan
Special Government Pleader

O R D E R

This Writ Petition is filed to issue a Writ of Mandamus directing the 2nd respondent to issue house site patta to the petitioner for her house in Town Survey No.1, Block 12, Ward B,

Mettur Town, Mettur Taluk, Salem District based on the letter of the 3rd respondent dated 24.10.2008.

2.The learned counsel appearing for the petitioner submitted that the petitioner has given an application to the 2nd respondent on 12.06.2017 to issue house patta for her house and land in Town Survey No.1 of Mettur Town, Mettur Taluk, Salem District and the same is pending. In the mean while, the 2nd respondent has requested the 3rd respondent to issue NOC for issuing patta to the petitioner vide proceedings in Na.Ka.27/17/A dated 24.07.2017. Pursuant to the same, the petitioner represented the 3rd respondent on 20.08.2017 to issue No Objection Certificate for which the 3rd respondent replied that the NOC had been issued to the revenue department and referred a letter No.Va.Pa/E.Va.A.3/Ko/233/2883/2008 dated 24.10.2008. Hence, the petitioner approached the 2nd respondent on 16.10.2017 to issue patta based on the letter of the 3rd respondent dated 24.10.2008. However, the 2nd respondent has not passed any order so far. Hence, this Writ Petition.

3.Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents submitted that the petitioner has not submitted any documents and in case the petitioner submitting necessary documents to treat her on par with other similarly placed persons, the 2nd respondent may be directed to consider the petitioner's representation and pass orders in accordance with law, within a time frame.

4.Having regard to the submissions made by the learned counsel on either side, subject to the production of necessary documents by the petitioner to treat her on par with similarly placed persons', the 2nd respondent is directed to consider the petitioner's representation dated 12.06.2017 and pass orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. While passing such an order, the proceedings in Na.Ka.27/17/A dated 24.07.2017 given by the Special Tahsildar, shall also be taken into consideration.

5.The Writ Petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

gsa

To

1.The Sub Collector/Revenue Divisional Officer,
Mettur Revenue Division,
Mettur Dam-1,
Salem District.

2.The Special Tahsildar,
Town Land Tax Scheme,
Mettur Taluk,
Mettur Dam - 1,
Salem District.

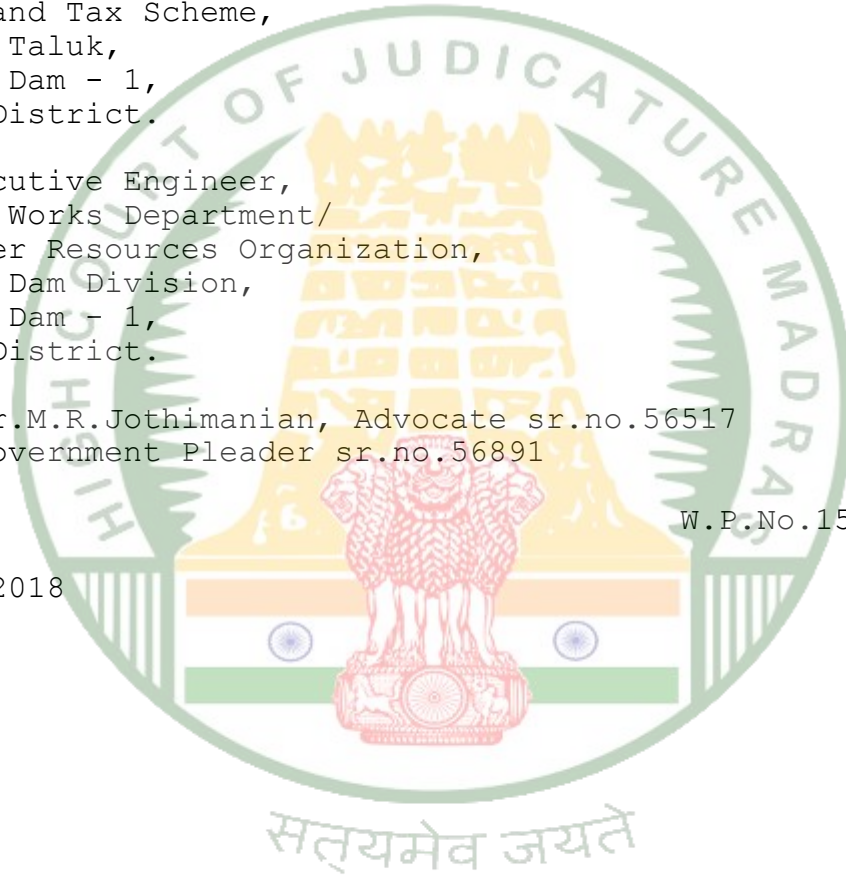
3.The Executive Engineer,
Public Works Department/
Water Resources Organization,
Mettur Dam Division,
Mettur Dam - 1,
Salem District.

+1cc to Mr.M.R.Jothimanian, Advocate sr.no.56517

+1cc to Government Pleader sr.no.56891

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nr 05/09/2018



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