

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.16652 of 2010

and

M.P.No.1 of 2010

Govindammal

..Petitione

vs

The District Collector,
O/o.the District Collector,
Krishnagiri.

..Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India seeking for a Writ of Mandamus, to direct the respondent to issue patta for the land where the petitioner is residing in an extent of 3 acres of land situated in S.No.2/1, Agasipalli Village, Krishnagiri District.

For Petitioner : Ms.Selvi George

For Respondent : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

Heard Ms.Selvi George, learned counsel for the petitioner, Mr.A.N.Thambidurai, learned Special Government Pleader for the respondent and perused the materials available on record.

2.The prayer sought for in the writ petition is for issuance of Writ of Mandamus directing the respondent to issue patta for the land in S.No.2/1, Agasipalli Village, Krishnagiri District.

3. The petitioner would state that she belongs to Scheduled Caste Community and her husband was an ex-service man. It is further stated that her two sons are also now serving in the Armed forces. The petitioner would claim that she is in occupation and enjoyment of three acres of land in S.No.2/1, for the past 35 years and her application for issuance of patta was not considered by the respondent so far. Hence, the present writ petition.

4. The learned counsel for the petitioner would state that

it would suffice, if a direction is issued to the respondent to pass orders on the representation of the petitioner.

5. Mr.A.N.Thambidurai, learned Special Government Pleader would submit that G.O.(P).No.376, Revenue Department, dated 08.03.1988, prohibits the issuance of patta for the lands situated within 16 kms radius of the District Head Quarters and the land in dispute is situated within 1 km from Krishnagiri Town and hence, patta cannot be issued in favour of the petitioner. It is further stated that the respondent is ready to pass orders on the representations of the petitioner.

6. In the light of the limited scope of prayer sought for in this writ petition and the submissions of the learned counsel on either side, this Court without going into the merits of the case, directs the respondent to pass orders on the representations of the petitioner dated 18.01.2010, 15.02.2010 and 22.03.2010, respectively purely on merits and in accordance with law, after providing an opportunity of hearing to the necessary parties, if any orders are not passed on those representations. The entire exercise shall be completed within a period of six months from the date of receipt of a copy of this order. Till then, the respondent is directed to maintain status quo as on date.

7. With the above direction, the writ petition is disposed of. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

ms

To

The District Collector,
O/o.the District Collector,
Krishnagiri.

+1 CC to Mrs.Selvi George, Advocate sr 45709.

+1 CC to Govt. Pleader sr 46233.

W.P.No.16652 of 2010

and

M.P.No.1 of 2010

CA(CO)

SP(10/07/2019)