

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:18.10.2019

Coram:

THE HONOURABLE DR. JUSTICE G.JAYACHANDRAN

Writ Petition No.7837 of 2018

K.Palthai

.. Petitioner

/versus/

1.The District Collector,
Collectorate Villupuram,
Villupuram District.

2.The Thasildar (Jamabandi Officer),
Ulundurpettai Taluk,
Villupuram District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd respondent to consider and dispose the petitioner representation dated 08.06.2016 and issue the assignment patta in favour of the petitioner an extent of 2 acres comprised in survey number 58/7, Thirunarukundram Village, Ulundurpettai Taluk, Villupuram District.

For Petitioner	:No appearance
For Respondents	:Mr.K.Ravikumar, AGP for R1 and R2

O R D E R

The writ petition is filed to issue a Writ of Mandamus directing the 2nd respondent to consider and dispose the petitioner representation dated 08.06.2016 and issue the assignment patta in favour of the petitioner an extent of 2 acres comprised in survey number 58/7, Thirunarukundram Village, Ulundurpettai Taluk, Villupuram District.

2. There is no representation for the petitioner.

3. The case of the petitioner is that she is residing at Thirunarukundram Village, Ulundurpettai Taluk and enjoying the property to an extent of 4 acres comprised in S.No.58/7. According to the petitioner, in the said village the said property is under the enjoyment of the petitioner's family for more than 45 years and they are carrying on agriculture activity. Her father allotted two acres of land in favour of the petitioner from out of 4 acres. The land being classified as Tharasu poramboke in the revenue record. B-memo is issued and penalty is collected from her by the Revenue Department. By quite long time she has sought for patta of that land in her favour through representation dated 08.06.2016. Despite the receipt of representation, the 2nd respondent has not passed any order and hence, this present writ petition is filed.

4. After notice, the 2nd respondent has appeared through the Additional Government Pleader and submitted that the representation of the petitioner was taken up for consideration and rejected since the survey No.58/7 in Thirunarukundram Village is classified as pathway and the petitioner herein is residing in a small hut in her farm land being pathway, patta cannot be issued to the petitioner.

5. Recording the same, the writ petition is dismissed holding that the petitioner cannot seek patta of land classified as pathway. No costs.

Sd/-

Asst.Registrar (CJ conf)

/true copy/

Sub Asst. Registrar

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To:

1.The District Collector,
Collectorate Villupuram,
Villupuram District.

2.The Thasildar (Jamabandi Officer),
Ulundurpettai Taluk,
Villupuram District.

+1 cc to M/s.Renganathan Advocate sr 87697
+1 cc to M/s.Government Pleader sr88248

W.P.No.7837 of 2018

rsv(co)
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