



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2019

CORAM:

THE HONOURABLE MR. JUSTICE R. SURESH KUMAR

W.P. (MD) No. 12527 of 2019

and W.M.P. (MD) No. 9327 of 2019

Ponnathal

... Petitioner

Vs.

1. The District Collector,
Pudukottai.
2. The District Revenue Officer,
Pudukottai
3. The Revenue Divisional Officer,
Pudukottai.
4. The Tahsildar,
Thirumayam Post and Taluk
Pudukottai District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents to issue patta to the petitioner for the property comprised in S.F.No.364.1 - 1.38 Acre of Thirumayam Village and Taluk, Pudukottai by considering the petitioner's representation dated 25.05.2019.

For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.M.Murugan
Government Advocate

ORDER

The prayer in the writ petition is for a Writ of Mandamus to direct the respondents to issue patta to the petitioner for the property comprised in S.F.No.364.1 - 1.38 Acre of Thirumayam Village and Taluk, Pudukottai by considering his representation dated 25.05.2019.

2. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

3. The petitioner is a widow and she has been in possession and enjoyment of the property, which is admittedly a Government poramboke land at S.No.364.1 of Thirumayam Village for the past 15 years. In this regard, the possession status has been certified by the concerned Village Administrative Officer and a certificate to that effect has been given by the Village Administrative Officer dated 30.11.2013, which has been annexed in the typed set of papers.



4. The learned counsel for the petitioner submitted that, the petitioner is a widow and therefore, under the landless poor category, being a widow, the petitioner seeks for assignment of the said land, which has been in the occupation of the petitioner and a representation to that effect dated 25.05.2019 has been filed by the petitioner to the first respondent District Collector. Therefore, if the said representation is considered on merits and an order to that effect is passed, the petitioner would be satisfied.

5. Heard the learned Government Advocate, who would submit that, the said representation of the petitioner dated 25.05.2019 would be considered by the respondents, especially, the first respondent and an order to that effect on merits would be passed.

6. Considering the limited scope of the writ petition, this Court is inclined to pass the following order:

"that the respondents, especially, the first respondent is hereby directed to consider the representation of the petitioner dated 25.05.2019 on merits and in accordance with law taking into account that the petitioner has been in possession of the property in question and the petitioner, being a widow, if the first respondent decides that the petitioner is a deserving person to be considered for such assignment, it is open to the first respondent to pass necessary orders to that effect. At any rate, the aforesaid exercise of disposing the petitioner's representation as indicated above, shall be completed by the first respondent within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs. Consequently connected Miscellaneous Petition is closed.

sd/
Assistant Registrar(AS)

/True Copy/

Sub Assistant Registrar(CS)

To

1. The District Collector,
Pudukottai.
2. The District Revenue Officer,
Pudukottai
3. The Revenue Divisional Officer,
Pudukottai.



4. The Tahsildar,
Thirumayam Post and Taluk
Pudukottai District.

+1 CC to SPL GP (SR-67866[F] dated 11/06/2019)

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RR

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