

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 01.03.2019

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THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE
W.P. (MD) .No.4935 of 2019

M.Mariyammal

... Petitioner

-vs-

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Revenue Divisional Officer,
Thenkasi Division,
Tirunelveli District.
3. The Assistant Revenue
Divisional Officer,
Veerakeralam Pudur,
Tirunelveli District.
4. The Tahsildar,
Veerakeralam Pudur,
Tirunelveli District.

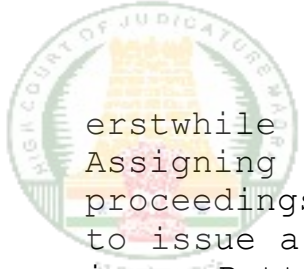
... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 2nd respondent to implement the order of the erstwhile Assistant Commissioner (land reforms) Tirunelveli / the Assigning Authority under the Land Reforms Act 1965 vide his proceedings C1/MR - 1V/312/H/TKS dated 31.01.1988 and consequently direct the competent Authority / 2nd respondent to issue Patta in favour of petitioner in respect of land of an extent of 32 cents comprised in Nanja Survey No.328/1A at Vellakal Village , Veerakeralampudur Taluk, Tirunelveli District.

For Petitioner : Mr.V.Angusamy

For Respondents : Mr.D.Muruganantham,
Additional Government Pleader**O R D E R**

The instant writ petition has been filed for Writ of Mandamus to direct the second respondent to implement the order of the



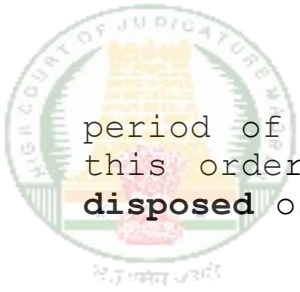
erstwhile Assistant Commissioner (Land Reforms) Tirunelveli/ Assigning authority under the Land Reforms Act 1965 vide his proceedings C1/MR - 1V/312/H/TKS dated 31.01.1988 and consequently to issue a direction to the competent Authority / 2nd respondent to issue Patta in favour of the petitioners namely, one M.Mariyammal and one S.Guruvammal, in respect of their lands measuring an extent of 32 cents comprised in Nanja Survey No.328/1A at Vellakal Village, Veerakeralampudur Taluk, Tirunelveli District.

2. It is the case of the petitioner that the erstwhile Assistant Commissioner (Land Reforms) Tirunelveli, assigned the lands in S.No.328/1A measuring 32 cents Vellakal Village, previously Thenkasi Taluk, and now, Veerakeralampudur (V.K.Puthur) Taluk, Tirunelveli District and the said lands were assigned to the petitioner vide proceedings dated 31.01.1988. According to the petitioner, till date, patta has not been issued in her favour by the second respondent despite several representations made by her. The last such representation was made on 23.07.2018. According to the petitioner, the respondent has not shown any response to the said representation. In such circumstances, the instant writ petitions have been filed.

3. Heard Mr.V.Angusamy, learned counsel appearing for the petitioner and Mr.D.Muruganandham, Additional Government Pleader appearing for the respondents.

4. Learned counsel for the petitioner drew the attention of this Court to the proceedings dated 31.01.1988 of the erstwhile Assistant Commissioner (Land Reforms, Tirunelveli), who is the Assigning Authority under Land Reforms Act, 1985. As seen from the proceedings, Sl.No.47 has been assigned to the petitioner and it is a land measuring 32 cents comprised in S.No.332/ 1 A part Vellakal Village, previously Tenkasi Taluk, and now, V.K.Pudur taluk, Tirunelveli District. Even though the aforesaid land was assigned in favour of the petitioner, as early as on 31.01.1988, till date, no patta has been issued in favour of the petitioner. Even though the petitioner had given several representations and the last such representation given by her to the first and second respondents was on 23.07.2018 requesting them to grant the patta for the lands assigned in her favour by proceedings dated 31.01.1988. Admittedly, the said representation has not been duly considered by the respondents.

5. After hearing the submissions of the learned counsels appearing on both sides and after perusing the assignment proceedings, this Court is the considered view that the respondents shall consider and dispose of the representation dated 23.07.2018 given by the petitioner by passing a final order in accordance with law, after giving sufficient opportunity to the petitioner, including the right of personal hearing, within a



period of four(04) weeks from the date of receipt of a copy of this order. With the aforesaid directions, the **Writ Petition is disposed** of. No costs.

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Sd/-

Assistant Registrar (T&P)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The District Collector,
Tirunelveli District,
Tirunelveli.
2. The Revenue Divisional Officer,
Thenkasi Division,
Tirunelveli District.
3. The Assistant Revenue
Divisional Officer,
Veerakeralam Pudur,
Tirunelveli District.
4. The Tahsildar,
Veerakeralam Pudur,
Tirunelveli District.

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-51021[F] dated 01/03/2019)

+1 CC to M/s.SPL GP (SR-51547[F] dated 04/03/2019)

STS

Order made in
W.P. (MD) .Nos.4935 of 2019

01.03.2019

KM/(28.03.2019) 3P 7C