

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAISWAMY

W.P.No.7810 of 2015

K. Thangaraj

... Petitioner

v.

1.The District Collector,
Erode District.

2.The Superintendent of Police,
Erode District.

3. The Tahsilar,
Perundurai Taluk Office,
Erode District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus, directing the 1st respondent to issue patta to the petitioner's house-site in which the petitioner's family is residing for the past 30 years on the basis of the petitioner's representation dated 05.01.2015, with the time frame fixed by this Court.

For Petitioner : Mr. S. Sengodi

For Respondents : Ms. A. Madhumathi,
Special Government Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus. directing the 1st respondent to issue patta to the petitioner's house-site in which the petitioner's family is residing for the past 30 years on the basis of the petitioner's representation dated 05.01.2015, within a time frame.

2. : Mr. S. Sengodi, learned counsel appearing for the petitioner submitted that the petitioner and his family are residing in the property in question for more than 30 years and therefore, the 3rd respondent should be directed to issue patta in his favour.

3. Ms. A. Madhumathi,, learned Special Government Pleader, appearing for the respondents, submitted that the petitioner and his family members are not in possession of the land in question and that on his own, the petitioner had vacated the property and handed over possession of the same to the respondents, therefore, the petitioner is not entitled to get any patta in his favour.

4. In the representation dated 05.01.2015, the petitioner has stated that the house in which the petitioner and his family members were residing was demolished by the authorities against his will, However, it is clear that the petitioner is not in possession and enjoyment of the property at present. In these circumstances, since the representation given by the petitioner is pending from the year 2015, necessary orders may be passed by the 3rd respondent on the representation given by him, as expeditiously as possible.

With these observations, the Writ Petition is disposed of.
No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Erode District.

2.The Superintendent of Police,
Erode District.

3. The Tahsilar,
Perundurai Taluk Office,
Erode District.

+1cc to the Government Pleader Sr.32428

W.P.No.7810 of 2015

rsv[co]
srg 05/11/2020