

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.19005 of 2020

K.Vasanthi

... Petitioner

Vs.

1.The District Collector,
Salem District,
Salem.

2.The Revenue Divisional Officer,
Mettur Dam 636 401,
Salem District.

3.The Tahsildar,
Mettur Taluk Office,
Mettur dam 636 401,
Salem District.

4.The Commissioner,
Mettur Municipality,
Mettur Dam 636 401,
Salem District

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Mandamus directing the 3rd respondent to issue the patta to the name of the petitioner in respect of the property in Block No.7, Ward No.15, Thookanampatty East, Municipality Primary School backside near Municipality Inspection Bungalow, Mettur Dam 636 401, Salem District, total to the extent of 5 cents based on the representation of the petitioner dated 27.11.2020 within stipulated time that may be fixed by this Court.

For Petitioner : Mr. M.Senthilkumar

For Respondents: Mr. S.N.Parthasarathy, Govt.
Advocate R1-R3
Mr.L.P.Maurya, Standing counsel - R4.

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the 3rd respondent to consider the representation made by the petitioner on 27.11.2020, wherein, the petitioner is seeking for issuance of patta with respect of the subject property.

2.It is seen from records that the property absolutely belongs to the 4th respondent Municipality. The petitioner without any permission seems to have occupied a small portion of the property belonging to the 4th respondent and has put up a structure. There is absolutely no right for the petitioner to occupy the property belonging to the 4th respondent and the petitioner has approached this Court seeking for the issue of writ of Mandamus even without any semblance of legal right . Only when there is a legal right, there will be a corresponding legal duty and in this case, there is absolutely no legal right for the petitioner.

3. In view of the above, this Court does not find any merits in this writ petition and accordingly the same is dismissed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

msr

To

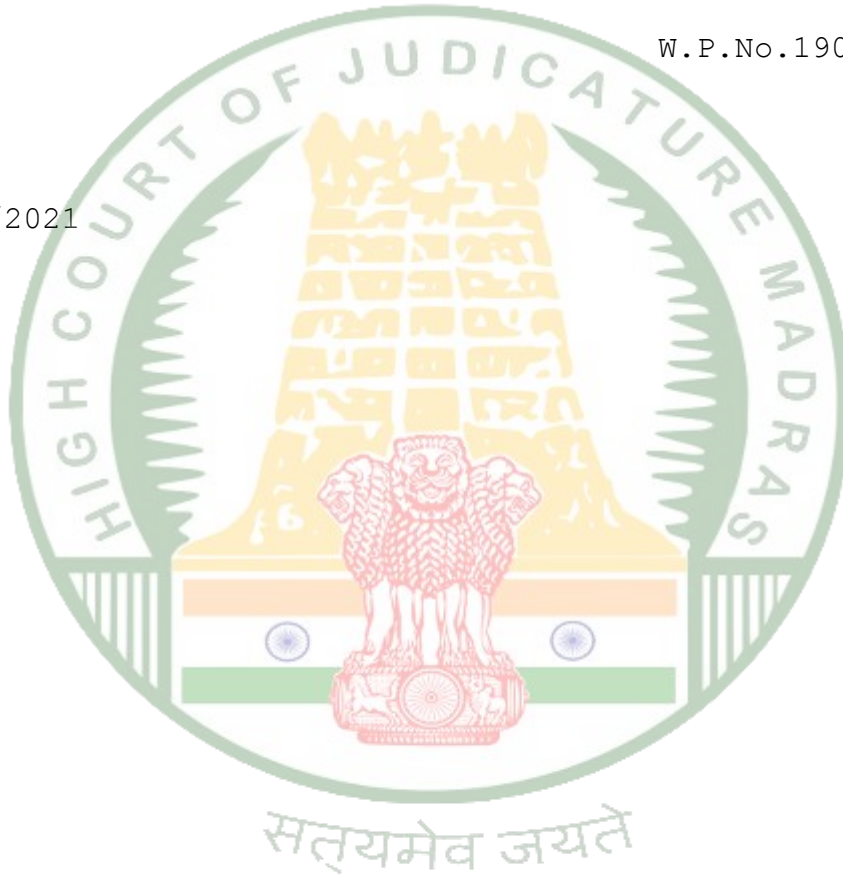
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+1cc to Mr.L.P.Maurya, Advocate Sr.41624
+1cc to the Government Pleader Sr.41847

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srg 11/01/2021



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