



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

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W.P. (MD)No.7985 of 2020

R.Murugeswari

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,
Aruppukottai,
Virudhunagar District.

4.The Block Development Officer,
Virudhunagar Panchayat Union,
Virudhunagar District.

5.The Tahsildar,
Virudhunagar Taluk,
Virudhunagar District.

6.The President,
Chinnamaruluthu Village Panchayat,
Virudhunagar Panchayat Union,
Virudhunagar District.

... Respondents

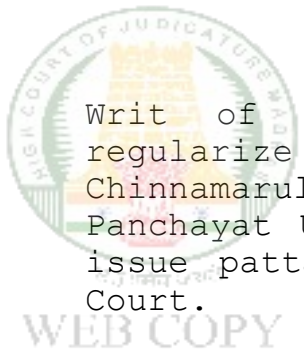
PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the third respondent herein to regularize the petitioner's occupation in Survey No.22/1, Chinnamaruluthu Village, Inamreddiapatti Post, Virudhunagar Talu & Panchayat Union, Virudhunagar District and take necessary steps to issue patta to the petitioner within the time stipulated by this Court.

For Petitioner : Mr.M.Jothibasur

For RR 1 to 5 : Mr.C.Ramesh
Special Government Pleader

ORDER

The petitioner has filed the present Writ Petition to issue a



Writ of Mandamus, directing the third respondent herein to regularize the petitioner's occupation in Survey No.22/1, Chinnamaruluthu Village, Inamreddiapatti Post, Virudhunagar Talu & Panchayat Union, Virudhunagar District and take necessary steps to issue patta to the petitioner within the time stipulated by this Court.

2. According to the petitioner, she owned the property in Survey Nos.3/3B, 5, 14 in Chinnamaruluthu Village, Inamreddiapatti Post, Virudhunagar Taluk & Panchayat Union, Virudhunagar District. In the year 2006, the National Highways Authority of India acquired the land to lay a four way. The property situated in Survey No.20/6, Chinnamaruluthu Village, belonged to the petitioner's husband and the Government has taken steps to acquire the land to lay a double gauge railway line. Both the acquisition proceedings are pending. In the mean time, they constructed a house in Survey No.22/1, Chinnamaruluthu Village. Subsequently, the Government had issued G.O.Ms.No.854 and took a policy decision to issue patta, who are in occupation in the Government poramboke land for more than 10 years. After several representations, the fifth respondent, by proceedings dated 13.02.2016, had made recommendation to the first respondent with regard to the issuance of patta to the petitioner. The Panchayat had also passed a resolution that they have no objection to issue patta to the petitioner and the petitioner is also ready and willing to pay the market value of land. So far no action has been taken on the side of the respondents, the petitioner has filed the present Writ Petition.

3. The learned Special Government Pleader appearing for the respondents 1 to 5, on instructions, submitted that the petitioner's representation is under consideration and the authority concerned communicated the petitioner to pay the market value of the property, as per the guideline value. Therefore, it requires some more time to pass final order and the same would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

4. At this juncture, the learned counsel appearing for the petitioner submitted that the petitioner is ready and willing to pay the market value of the property, as per the guidelines.

5. Recording the submissions made by the learned Special Government Pleader, this Court directs the third respondent to consider the claim of the petitioner with regard to issuance of patta and pass appropriate orders, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.



6. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CSI)

WEB COPY

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Note:- In view of the present lock down owing to COVID - 19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

Ps

To

1. The District Collector,
Virudhunagar District,
Virudhunagar.
2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.
3. The Revenue Divisional Officer,
Aruppukottai,
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4. The Block Development Officer,
Virudhunagar Panchayat Union,
Virudhunagar District.
5. The Tahsildar,
Virudhunagar Taluk,
Virudhunagar District.

+1 CC to M/s.M. JOTHI BASU, Advocate (SR-16286[F] dated 09/09/2020)

+1 CC to M/s.SPL GP (SR-16363[F] dated 09/09/2020)

W.P. (MD) No.7985 of 2020
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KB(16.09.2020) 3P 8C

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