



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.08.2020

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD)No.8790 of 2020

P.Chinnammal

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The District Welfare Officer,
Adi-Dravidar and Tribal Welfare Office,
Sivagangai District,
Sivagangai.

3.The Revenue Divisional Officer,
O/o.The Revenue Division Office,
Sivagangai.

4.The Special Tahsildar,
Adi-Dravidar and Tribal Welfare Office,
Sivagangai,
Sivagangai District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, to direct the respondents to provide patta to the petitioner in Door No.1429/A1 in Survey Nos.211/1B, 211/2 to an extent of two cents situated at Baiyoor Pillaivayal Village Group, Sivagangai Taluk, Sivagangai District by considering her representation dated 12.07.2019 within the time stipulated.

For Petitioner : Mr.T.Thirumurugan

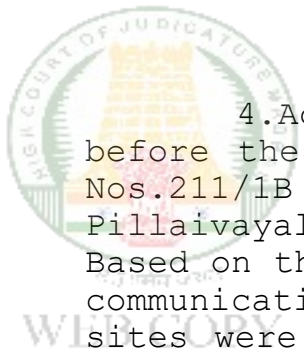
For Respondents : Mr.P.Kannithevan,
Additional Government Pleader.

ORDER

The petitioner has filed the present Writ Petition to issue a Writ of Mandamus, to direct the respondents to provide patta to the petitioner in Door No.1429/A1 in Survey Nos.211/1B, 211/2 to an extent of two cents situated at Baiyoor Pillaivayal Village Group, Sivagangai Taluk, Sivagangai District by considering her representation dated 12.07.2019.

2.Mr.P.Kannithevan, learned Additional Government Pleader takes notice for the respondents.

3.By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.



4. According to the petitioner, she submitted an application before the respondents to provide free house site patta in Survey Nos. 211/1B and 211/2 to an extent of 2 cents situated at Baiyoor Pillaivayal Village Group, Sivagangai Taluk, Sivagangai District. Based on the aforesaid application, the fourth respondent has sent a communication to the respondents 1 and 2 that totally 348 free house sites were identified and patta has been granted to 64 persons and remaining 284 free house sites are available and the same would be given to the eligible persons. Though the fourth respondent has recommended to the District Collector, the application of the petitioner has not been considered so far. Hence, the petitioner has filed the present Writ Petitions.

5. It is brought to the notice of this Court by the learned Additional Government Pleader that the petitioner's application was rejected by the fourth respondent in proceedings in Na.Ka.No.A/44/2019, dated 24.07.2020. Subsequently, another proceedings in Na.Ka.No.A/44/2019, dated 04.08.2020 was issued by the fourth respondent, in which it is stated that the aforesaid survey numbers have been assigned and free house site patta are provided to the sanitary workers belonging to Kuravar Community, but in the case on hand, the petitioner is only a temporary employee. It is further stated that based on the application of the petitioner, action has been taken for alternative place to assign free house site patta, considering her eligibility.

6. In reply, the learned counsel appearing for the petitioner submitted that the respondents have not communicated any reply to the petitioner in this regard. Therefore, he insists upon the Court to give direction to the authority concerned to communicate the same to the petitioner.

7. Considering the submissions made by the learned counsel appearing on either side, this Court, without expressing any opinion on the merits of the matter, directs the fourth respondent / the Special Tahsildar, Sivagangai, to communicate the reply to the petitioner within a period of two weeks from the date of receipt of a copy of this order.

8. Accordingly, these Writ Petition is disposed of. No costs.

Sd/-

Deputy Registrar (A/c's)

// 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.

WEB COPY

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To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The District Welfare Officer,
Adi-Dravidar and Tribal Welfare Office,
Sivagangai District,
Sivagangai.
- 3.The Revenue Divisional Officer,
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Sivagangai,
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KB(14.08.2020) 3P 5C