



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **26.08.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD)No.10129 of 2020

- 1.C.Gunasekaran
2.Lakshmi
3.R.Palanivel
4.K.Olibulla
5.M.Meyyappan
6.Subramanian
7.S.Karuppaiah
8.R.Perumal
9.N.Mani
10.K.Karuppaiah
11.U.Kalaiselvam
12.Rani
13.Subbaiah

... Petitioners

Vs

- 1.State Represented by
The District Collector,
Pudukkottai, Pudukkottai District.
- 2.The Revenue Divisional Officer,
Pudukkottai, Pudukkottai District.
- 3.The Tahsildar,
Pudukkottai Taluk Office,
Old Govt.Hospital Campus,
Pudukkottai Town,
Pudukkottai District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writs of Mandamus, to direct the third respondent to issue permanent patta as per order passed by the first and second respondents vide his proceedings in Ni.Mu.6611/95, dated 03.02.1995 in T.S.No.6256/3 (Block No.97) based on the petitioner's representation dated 08.06.2020.

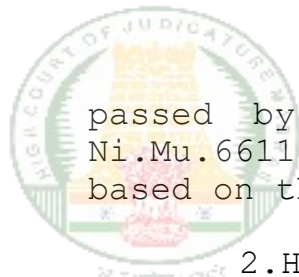
For Petitioners : Mr.V.Selvakumar

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

ORDER

This Writ Petition is filed seeking for a direction, to direct the third respondent to issue permanent patta as per order

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passed by the respondents 1 and 2 vide his proceedings in Ni.Mu.6611/95, dated 03.02.1995 in T.S.No.6256/3 (Block No.97), based on the petitioners' representation dated 08.06.2020.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The learned counsel appearing for the petitioners submitted that the petitioners were working as helpers, Drivers, Dabedhars, Gardeners and Dhobies in the Collectorate, Pudukkottai for several years. They have no permanent residence and requested the District Collector, Pudukkottai District, for allotting a vacant land to them. Their representation was considered and the petitioners were allotted a land measuring an extent of 1 $\frac{1}{4}$ cent in Nathampannai Village, Pudukkottai District in T.S.No.6256/3 (Block No.97) respectively, which is classified as Natham, by the then District Collector, in his proceedings No. Ni.Mu.6611/95, dated 03.02.1995. In this regard, the Revenue Divisional Officer sent a communication to the petitioners. Thereafter, on payment of Rs.15,084/- per head, they have been issued temporary patta on 28.01.1995. From the date of issuance of patta, the petitioners are in possession and enjoyment of the property.

4. The learned counsel for the petitioners further submitted that since the petitioners were allotted only a small extent, they were requested the then District Collector to extend the land. In this regard, on 25.02.1995, the petitioners sent requisition to the then District Collector. The said requisition was under consideration. In the meanwhile, the then District Collector was transferred. Thereafter, on 22.11.2006, the authority concerned issued notice to the petitioners to appear for enquiry with all documents on 30.11.2006. On that date, the petitioners attended enquiry and their documents were verified by the authorities concerned. After verification of documents by the authorities, the petitioners have requested the respondents for issuance of permanent patta. But, their request was not considered. Therefore, the petitioners made representations before the authorities concerned. So far, no action has been taken. Hence, they filed this present Writ Petition.

5. The learned Additional Government Pleader appearing for the respondents submitted that the petitioners' representation dated 08.06.2020 would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

6. Considering the submissions made on either side, this Court, without expressing any opinion on the merits of the petitioners' case, directs the third respondent to consider the petitioners'



representation dated 08.06.2020 on merits and in accordance with law and pass appropriate orders, within a period of 12 weeks from the date of receipt of a copy of this order, after affording due opportunity of hearing to the petitioner and the interested parties, if any.

7. This Writ Petition is disposed of, with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Deputy Registrar (Accounts)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

das

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.

To

1. The District Collector,
Pudukkottai, Pudukkottai District.
2. The Revenue Divisional Officer,
Pudukkottai, Pudukkottai District.
3. The Tahsildar,
Pudukkottai Taluk Office,
Old Govt. Hospital Campus,
Pudukkottai Town,
Pudukkottai District.

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VB (02.09.2020) 3P 4C