



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.09.2020

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.9194 of 2020

C.Parvathi

...Petitioner

Vs

1.The District Collector,  
Madurai District,  
Madurai.

2.The Tahsildar,  
Madurai District,  
Madurai.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to effectively and immediately consider the representation of the petitioner dated 30.05.2020 to the respondents and issue patta to this petitioner schedule property mentioned.

|                 |                                                     |
|-----------------|-----------------------------------------------------|
| For Petitioner  | : Mr.P.Vijai                                        |
| For Respondents | : Mr.M.Pandiarajan<br>Additional Government Pleader |

### **ORDER**

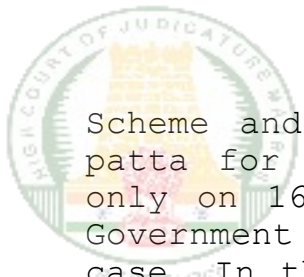
This Writ Petition is filed to direct the respondents to issue patta for the property in Door.No.50/6 in S.No.87/1 situated at Thangavel Rastha Street, Avaniyapuram Village, Madurai.

2.According to the petitioner, though she made a representation dated 30.05.2020 before the respondents with the relief sought for in the prayer, so far no action has been taken. Hence, the petitioner is before this Court for the relief stated supra.

3.The learned counsel appearing for the petitioner would submit that as per G.O.Ms.No.565, Revenue Department, dated 26.09.2008, the petitioner is entitled to get patta for the said property.

4.In reply, the learned Additional Government Pleader appearing for the respondents, on instructions, would submit that under the Tamilnadu Urban Land (Ceiling and Regulation) Act, 1978, the land purchased by the petitioner in S.No.87/1C comes within the surplus land as declared by the Government.

5.The learned Additional Government Pleader would further submit that as per G.O.Ms.No.565, Revenue Department, dated 26.09.2008, patta has been given to the parties concerned for the surplus land purchased prior to 26.09.2008 under the Innocent Buyer



Scheme and that therefore, the petitioner is not entitled to get patta for the said property, since the same was purchased by him only on 16.10.2012. Therefore, he would submit that the aforesaid Government Order will not be applicable to the facts of the present case. In this regard, he has produced a copy of the proceedings of the Assistant Commissioner, Urban Land Ceiling and Urban Land Tax, Madurai in Na.Ka.No.A1/683/2020 dated 03.09.2020.

6. Considering the facts and circumstances of the case, the petitioner is not entitled to get patta for the petition mentioned property and in view of the G.O.Ms.No.565, Revenue Department, dated 26.09.2008, there is no *prima facie* case made out. Hence, this Court cannot entertain the writ petition to grant the relief as sought for by the petitioner.

7. This Writ Petition stands dismissed, accordingly. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

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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,  
Madurai District,  
Madurai.

2. The Tahsildar,  
Madurai District,  
Madurai.

+1 CC to M/s.P. VIJAI, Advocate ( SR-16308[F] dated 09/09/2020 )

+1 CC to M/s.SPL GP ( SR-16652[F] dated 11/09/2020 )

W.P. (MD) No.9194 of 2020  
09.09.2020

KB(18.09.2020) 2P 5C