



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **01.12.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S. VAIDYANATHAN**

W.P (MD) No.14080 of 2020

WEB COPY
Tamilselvi

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruchendur,
Thoothukudi District.

3.The Tahsildar,
The Tahsildar Office,
Satthangulam,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the second and third respondents to issue Natham Patta to the petitioner for house property situated at Karungadal Village, Satthangulam Taluk, Thoothukudi District comprised in Old. S.No.364/2P, New S.No.825/35 on the basis of the petitioner's representation dated 29.10.2018 within the time frame fixed by this Court.

For Petitioner : Mr.S.Muthumalai Raja

For respondents : Mr.M.Muniyasamy

Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus directing the second and third respondents to issue Natham Patta to the petitioner for house property situated at Karungadal Village, Satthangulam Taluk, Thoothukudi District comprised in Old. S.No.364/2P, New S.No.825/35 on the basis of the petitioner's representation dated 29.10.2018 within the time frame fixed by this Court.

2.Heard the learned Counsel appearing for the petitioner and Mr.M.Muniyasamy, learned Additional Government Pleader, who took notice for the respondents. By consent, the Writ Petition is disposed of at the admission stage itself.



3.The learned Counsel appearing for the petitioner would submit that the petitioner has been in possession of the land measuring to an extent of 61 sq. m. (1½ cents) in Old Survey No.364/2P, New Survey No.825/35 situated at Karungadal Village, Satthagulam Taluk, Thoothukudi District which was given to her by her father as sridhana property. The petitioner has demolished the old house and constructed a new house in the said land and she has also obtained electricity connection. Since the said land was classified as Natham vacant site in the revenue records, the petitioner made a representation before the first respondent seeking Natham House site patta on 29.10.2018. Thereafter, on 28.11.2018, the petitioner received a copy of the letter from the second respondent in which the third respondent was directed to conduct enquiry and inform the same to the petitioner. Since the third respondent has not conducted any enquiry thereafter, the petitioner has come forward with the present Writ Petition.

4.The learned Additional Government Pleader appearing for the respondent by filing a counter submitted that the land in Old Survey No.364/2P, New Survey No.825/35 situated at Karungadal Village, Satthagulam Taluk, Thoothukudi District is a Government poramboke land and the petitioner has encroached into the said land. She has not constructed any house in the said land as contented by the petitioner. It is further submitted that the petitioner's husband was allotted a land measuring to an extent of 0.00.55 Hectares in Survey No.822/10 bearing Natham Patta No.374 in the same village. Hence, the petitioner is not qualified and eligible for free house site patta.

5.This Court find much force in the contention of the learned Additional Government Pleader appearing for the respondents that the petitioner is not qualified and eligible for free house site patta. Hence, no relief can be granted as such sought by the petitioner and accordingly, the Writ Petition is dismissed. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

SRM

To

1.The District Collector,
Thoothukudi District,

<https://hcservicesrecords.hcj.hcservices/>



2.The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruchendur,
Thoothukudi District.

3.The Tahsildar,
The Tahsildar Office,
Satthangulam,
Thoothukudi District.

+1 CC to SGP (SR-23637[F] dated 02/12/2020)

W.P (MD) No.14080 of 2020

01.12.2020

CK (CO)

NR (17/12/2020) 3P : 5C