



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.11.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.15262 of 2020

P.Karuppaiah

... Petitioner

-Vs-

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Vedasandur Taluk, Dindigul District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 1 and 2 herein to issue patta in respect of the landed property of an extent of 1202 Sq.Ft., comprised in Survey No.649/1 situated at Velvaarkottai Village, Vedasandur Taluk, Dindigul District in the petitioner's favour by considering the petitioner's representations dated 22.01.2020 and 21.09.2020 within the time stipulated by this Court.

For Petitioner	: Mr.J.Lawrance
For Respondents	: Mr.K.P.Krishnadass Special Government Pleader.

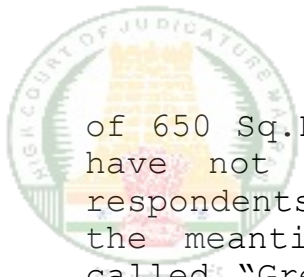
ORDER

The petitioner has come forward with this Writ Petition, seeking a direction to the respondents 1 and 2 to issue patta in respect of the landed property of an extent of 1202 Sq.Ft., comprised in Survey No.649/1 situated at Velvaarkottai Village, Vedasandur Taluk, Dindigul District in the petitioner's favour by considering the petitioner's representations dated 22.01.2020 and 21.09.2020 within the time stipulated by this Court.

2.By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.Mr.K.P.Krishnadoss, learned Special Government Pleader accepts notice on behalf of the respondents.

4.According to the petitioner, his father, namely, Ponnuvella had been in possession and enjoyment of the property in Survey No.649/1 situated at Velvaarkottai Village, Vedasandur Taluk, Dindigul District. His father had constructed a house in an extent



of 650 Sq.Ft., out of 1202 Sq.Ft. However, the revenue authorities have not granted patta in favour of his father, whereas the respondents have granted pattas in favour of so many neighbours. In the meantime, the Government has announced Free Housing Scheme called "Green Housing Scheme", which is being implemented with the aid from the Central Government. The petitioner is also covered as per the parameters prescribed under the said scheme. Since the petitioner has approached the Block Development Officer, no effective steps have been taken. Hence, the petitioner has made representations on 22.01.2020 and 21.09.2020. Since no order has been passed on the representations of the petitioner, he has approached this Court, seeking aforesaid prayer.

5.Mr.K.P.Krishnadoss, learned Special Government Pleader for the respondents has furnished a copy of the communication dated 03.11.2020 addressed to him by the Tahsildar / second respondent, stating that survey was conducted on 28.05.2020. The petitioner has not satisfied and made a request on 10.08.2020 to again survey the land. In spite of the notice with regard to the survey i.e., on 12.08.2020 and 17.08.2020, the petitioner has refused to receive the said notice and hence, no survey could be conducted. He has further stated that in case the petitioner appears, survey will be conducted.

6.Taking note of the submissions of the learned Special Government Pleader for the respondents, fresh survey could be conducted on receipt of charges for the survey, by following the guidelines issued by this Court in W.P.(MD)No.13465 of 2020, dated 13.10.2020. The said survey shall be photographed and videographed in the presence of the petitioner and the costs of Photograph and Videograph to be borne by the petitioner. Such exercise shall be completed, within a period of three (3) months from the date of receipt of a copy of this order.

7.Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Myr

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.

<https://hcservices.ecourts.gov.in/hcservices/>



To

1.The District Collector,
Dindigul District, Dindigul.

2.The Tahsildar,
Vedasandur Taluk, Dindigul District.

+1 CC to Mr.J.LAWRANCE, Advocate (SR-21293[F] dated 05/11/2020)

+1 CC to SPL GP (SR-21319[F] dated 05/11/2020)

Order made in
W.P. (MD) No.15262 of 2020
04.11.2020

VB (18.11.2020) 3P 5C