



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.12.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.17805 of 2020

Pitchaiammal

... Petitioner

Vs.

1.The District Collector,
Dindigul District,

2.The District Revenue Officer,
Office of the District Revenue Officer,
Dindigul.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul District.

4.The Tahsildar,
Natham Taluk,
Dindigul District.

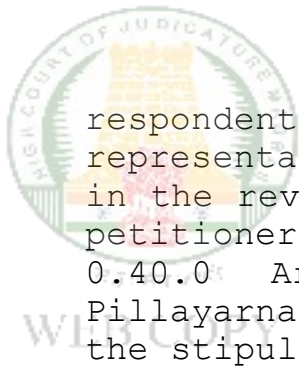
... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to direct the respondents 2 and 3 to pass orders on the petitioner's representation dated 10.11.2020 and to enter the petitioner's name in revenue records and to issue the computerized patta for the petitioner's punja survey No.333/21 measuring to an extent of 0.40.0 Ares comprised in Patta No.137 and situated at Pillayarnatham Village, Natham Taluk, Dindigul District within the stipulated time.

For Petitioner : Mr.R.Senthil Kumar
For Respondents : Mr.K.P.Krishnadoss
Special Government Pleader

ORDER

The petitioner has come forward with this Writ Petition, seeking a direction to the 1st respondent to direct the



respondents 2 and 3 to pass orders on the petitioner's representation dated 10.11.2020 and to enter the petitioner's name in the revenue records and to issue the computerized patta for the petitioner's punja survey No.333/21 measuring to an extent of 0.40.0 Ares comprised in Patta No.137 and situated at Pillayarnatham Village, Natham Taluk, Dindigul District within the stipulated time.

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, the property comprised in punja Survey No.333/21, measuring to an extent of 0.40.0 Ares in Patta No.137, situated at Pillayarnatham Village, Natham Taluk, Dindigul District is in possession and enjoyment of the petitioner. The said property was allotted to the petitioner by the fourth respondent, vide proceedings in T.K.T.6/1409 dated 03.11.1999. The petitioner along with his family members are doing cultivation in the above said land and they depend upon the income derived from the agricultural source alone. When the petitioner came to know that the said survey number is missing in the FMB sketch, he approached the respondents to issue computerized patta in the name of the petitioner and the petitioner made a representation to the respondent on 10.11.2020. However, the same has not been considered so far. In such circumstances, the petitioner has approached this Court.

5. Considering the facts and circumstances, the respondents, more particularly, the third respondent is directed to consider the representation of the petitioner, dated 10.11.2020, and issue computerized patta, after ascertaining the fact by way of a thorough enquiry that the petitioner is a landless poor. In case, if it is found that the petitioner is having any land and suppressed the same, it is open to the fourth respondent to cancel the patta at any point of time.

6. In case, Government allot a land to a landless poor, there should be pre-emptive clause mentioning that the person to whom the land is allotted shall sell the land only to the Government at the guideline value and it is open to the Government to allot it to any other landless poor based on the seniority in the claim/request made. The persons, who get free land shall not dispose of the land at their whims and fancies and go on seeking land in one place or another on the ground that they are landless poor.



7. With the above observations and directions, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

WEB COPY

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

PJL

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,
Dindigul District,

2.The District Revenue Officer,
Office of the District Revenue Officer,
Dindigul.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Dindigul District.

4.The Tahsildar,
Natham Taluk,
Dindigul District.

+1 cc to Mr.R.Senthil Kumar , Advocate SR.No.24517

W.P. (MD)No.17805 of 2020

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KM (06.01.2021) 3P 6C