



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P. No.12473 of 2016
and M.P. No 10787 of 2016

P.Thirunavukarasu

... Petitioner

-Vs-

1. The District Collector,
Vellore District.

2. The Tashildar,
Arakkonam Taluk,
Vellore District.

3. The Inspector of Police,
Town Police station,
Arakkonam.

4. The President,
Cheyyur Village,
Arakkonam Taluk,
Vellore District.

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for records of the second respondent dated 19.01.2016 in proceedings O.Mu.A5/0303/2016 and quash the same and consequently direct the second respondent to issue patta to the petitioner's property situated in S.No.70/1 ad-measuring 0.48.5 Ares.

For Petitioner : No appearance

For Respondents

For R1 to R3 : Mr.M.R.Gokul Krishnan
Government Advocate.

For R4 : No appearance

ORDER

The Writ Petition has been filed to call for records of the second respondent dated 19.01.2016 in proceedings O.Mu.A5/0303/2016 and quash the same and consequently direct the second respondent to issue patta to the petitioner's property



situated in S.No.70/1 ad-measuring 0.48.5 Ares.

2. According to the petitioner, he is a physically handicapped person and he is living along with his family members in the subject land for the past 30 years. He constructed a thatched house in the said land. Under these circumstances, the petitioner applied for free patta under G.O.Ms.340 dated 30.12.2007, since the petitioner is living in the subject property for more than five years. The said land is classified as Pattai Poromboke and therefore, the petitioner approached the second respondent for grant of patta. However, the second rejected the petitioner request on the ground that the subject land is used as play ground and it is not constructed of four corners of wall and it has only one wall with door. Aggrieved by the same, the petitioner filed this present Writ Petition.

3. Now, the learned Government Advocate appearing for the first respondent reported before this Court that the petitioner has already vacated the said property five years before and now in the said property, one mini clinic was constructed and it is running there. That apart, they also constructed public toilet. Therefore, there is absolutely not possible for granting free patta to the petitioner.

4. In view of the above, the Writ petition is devoid of merits and liable to be dismissed. Accordingly, the Writ Petition stands dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

Sd/-

Assistant Registrar(CJ CONF)

//True Copy//

Sub Assistant Registrar

rts

To

1. The District Collector,
Vellore District.
2. The Tashildar,
Arakkonam Taluk,
Vellore District.



3. The Inspector of Police,
Town Police station,
Arakkonam.

4. The President,
Cheyyur Village,
Arakkonam Taluk,
Vellore District.

+1CC to the Government Pleader, Sr.No.42694

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NR (CO)
K.RK. (27.09.2021)