



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.03.2021

CORAM:

THE HONOURABLE MR.JUSTICE S.S.SUNDAR

W.P.NO.7902 OF 2021

D.Baskaran

.. Petitioner

Vs

1. The District Collector,
Thiruvannamalai District,
Thiruvannamalai.
2. The Revenue Divisional Officer,
Thiruvannamalai Revenue Division,
Thiruvannamalai.
3. The Tahsildar,
Thiruvannamalai Taluk,
Thiruvannamalai.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the first respondent to issue necessary direction to the third respondent to issue approximate patta pertaining to the lands bearing S. No.86/2A to an extent of 2013 Sq.ft., situated at Vada Aandapattu Village, Thiruvannamalai District in the petitioner's name, based on his representation made to the respondents herein on 13.01.2021.

For Petitioner : Mr.M.Prabakar

For Respondent : Mr.E.Balamurugan
Special Government Pleader

O R D E R

This writ petition is filed for issuing a writ of mandamus directing the first respondent to issue approximate patta pertaining to lands in Survey No.86/2A to an extent of 2013 Sq.ft. in Vada Aandapattu Village, Thiruvannamalai District, in the petitioner's name.

2. The petitioner has produced before this Court the property tax receipt and then the electricity service connection



to show that he is in possession and enjoyment of the house constructed in some property. The petitioner himself admits that he is in enjoyment of poromboke land in Survey No.86/2A measuring an extent of 2013 Sq.ft., in Vada Aandapattu Village, Thiruvannamalai District. Merely because the petitioner is in enjoyment of the property for several years, he is not entitled to get patta as a matter of right. It is true that the Government has issued several Government Orders to issue free house site patta to landless poor after prescribing the criteria to get such patta. An encroacher cannot be given patta regularising his encroachment. If the encroachment of the petitioner is not an objectionable one, it may be considered for grant of free house site patta under any scheme of Government. The petitioner has not given the basic particulars about his eligibility to be considered as beneficiary of any scheme of Government to get free house site patta. Hence this Court is unable to give any direction to the respondents regarding his eligibility. However, if the petitioner files an application before the Revenue Officials in terms of Revenue Standing Orders or Government Orders for allotment of free house site patta, the application of the petitioner can be considered in accordance with law and in terms of policy of Government.

3. This Court finds no merit in the writ petition. Accordingly, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

bkn

To

1. The District Collector,
Thiruvannamalai District, Thiruvannamalai.
2. The Revenue Divisional Officer,
Thiruvannamalai Revenue Division, Thiruvannamalai.
3. The Tahsildar,
Thiruvannamalai Taluk, Thiruvannamalai.

+1cc to Mr.M.Prabakar, Advocate, S.R.No.19779

+1cc to the Government Pleader, S.R.No.20150

W.P.No.7902 of 2021

GSM(CO)

CS/19/07/2021