

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 17.04.2021

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR
Writ Petition No.33754 of 2018

K.Nagarathinam

... Petitioner

-Vs-

1.The District Collector
Salem District, Salem.

2.The Tahsildar, Salem Taluk
Salem, Salem District.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to issue free patta to the petitioner at any place in Salem Taluk to the extent of 2 cents of house site.

For Petitioner : Mr.C.Prakasam
For Respondents : Mr.J.Pothiraj,
Special Government Pleader

O R D E R

The prayer sought for herein is for a Writ of Mandamus directing the respondents to issue free patta to the petitioner at any place in Salem Taluk to the extent of 2 cents of house site.

2. The case of the petitioner is that, he is 72 years old and he was one of the person who fought for Tamil language and accordingly in that category, it seems that, he has made a request for assignment of land to the extent of two cents for construction of house in any Poramboke land available in Salem District and accordingly he has given a representation to that effect to the first respondent / District Collector, Salem on 28.11.2017 and the said representation since has not been considered, he has approached this Court by filing this writ petition with the aforesaid prayer.

3. Heard Mr.C.Prakasam, learned counsel for the petitioner, who, after having reiterated the aforesaid facts seeks the indulgence of this Court to give suitable direction to the respondents to consider the representation dated 28.11.2017 and pass orders on the same within a time frame to be stipulated by this Court.

4. Heard Mr.J.Pothiraj, learned Special Government Pleader who would submit that, seeking assignment of free

patta or land is not a matter of right. Anyhow, since the petitioner has made a request on the ground that, he is one of the fighters for Tamil language, on 28.11.2017, where he claimed that, he has produced the document issued by the Tahsildar that, he does not have any land, the representation of the petitioner would be considered and accordingly an order to that effect, would be passed within a time frame.

5. Considering the limited scope of the prayer and after having gone through the materials placed before this Court, this Court is inclined to dispose of this writ petition with the following order.

6. That there shall be a direction to the first respondent to consider the representation of the petitioner dated 28.11.2017 and pass orders thereon on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

7. With the above directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

KST

To

1.The District Collector
Salem District, Salem.

2.The Tahsildar, Salem Taluk
Salem, Salem District.

+1 cc to Government Pleader Sr.No. 23656

W.P.No.33754 of 2018

A.SK(19.05.2021)