



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.7640 of 2021

Santha

...Petitioner

Vs.

1. The District Collector, Thanjavur District, Thanjavur.
2. The Tahsildar, Orathanadu Taluk, Thanjavur District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to grant fee assignment patta for house site in Survey No.167/20, considering the reference of the first respondent in Na.Ka.No.331/2020/H1, dated 11.12.2020.

For Petitioner

: Mr.M.Ramu

For Respondents

: Mr.M.Rajarajan

Additional Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondents to consider the representation made by the petitioner, wherein, the petitioner is seeking for grant of free assignment patta with respect to the subject property.

2. The case of the petitioner is that her husband was enjoying a natham land in Survey No.167/20 and the same was under enjoyment for a very long time. Subsequently, he died and the petitioner made a representation to the respondents seeking for free assignment patta for the house site. On the representation made by the petitioner, the first respondent through a letter dated 11.12.2020 directed the second respondent to act on the representation and report compliance. The grievance of the petitioner is that the second respondent has not acted upon the letter issued by the first respondent and left with no other option, the present Writ Petition has been filed before this Court.

3. Heard Mr.M.Ramu, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Additional Government Pleader appearing on behalf of the respondents.



4. Taking into consideration the facts and circumstances of the case and without going into the merits of the claim made by the petitioner, there shall be a direction to the second respondent to consider the representations made by the petitioner on 09.11.2020 and 10.11.2020 and deal with the same on its own merits and in accordance with law and pass appropriate orders within a period of twelve (12) weeks from the date of receipt of a copy of this order. If there are any other interested parties claiming right over the subject property, they shall also be issued with notice and an opportunity shall also be given to them.

5. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order. The copy of the representation shall also be marked to the first respondent.

6. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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, Thanjavur.
- 2.The Tahsildar, Orathanadu Taluk, Thanjavur District.
 - +1 CC to M/s.M.RAMU, Advocate (SR-15553[F] dated 08/04/2021)
 - +1 CC to M/s.SPL GP (SR-15633[F] dated 09/04/2021)

Order made in
W.P. (MD) .No.7640 of 2021
08.04.2021

RA (11.05.2021) P 5C