



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2021

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THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.13634 of 2021

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S.Kamatchi

... Petitioner

Vs.

1. The Commissioner,
Revenue and Disaster Management,
Ezhilagam, Chepauk,
Chennai - 600 005.
2. The District Collector,
Office of the District Collector,
Sivagangai District.
3. The Revenue Divisional Officer,
Devakottai, Sivagangai District.
4. The Tahsildar,
Karaikudi, Sivagangai District.
5. The Commissioner,
Karaikudi Municipality,
karaikudi, Sivagangai District.

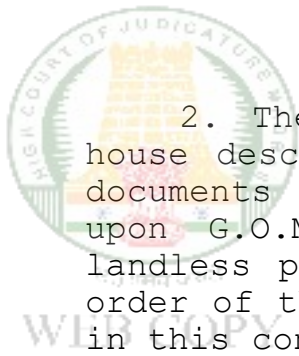
... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to implement the order in W.P(MD).No.10085 of 2018 dated 28.04.2018 and to issue patta to the petitioner's dwelling house situated in Survey No.161, Navalar Street, Anna Nagar, Karaikudi Taluk, Sivagangai District in light of G.O.Ms.No.465 dated 27.11. 2018 on the file of the first respondent and in proceedings dated 16.10.2020 on the file of the third respondent and in the proceedings dated 20.11.2020 on the file of the first respondent within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash
For Respondents : Mr.P.Subbaraj,
Counsel for State for R1 to R4

O R D E R

The petitioner seeks a direction for the grant of patta in respect of her dwelling house at Survey No.161, Navalar Street, Anna Nagar, Karaikudi Taluk, Sivagangai District.



2. The petitioner states that she is living in the dwelling house described above for about 50 years and that she has several documents evidencing that she is in possession thereof. By relying upon G.O.Ms.No.465, dated 27.11.2018, it is stated that the landless poor are entitled to a free house site patta. A previous order of this Court in W.P(MD).No.10085 of 2018 is also relied upon in this connection.

3. The executive authority concerned has to examine whether the petitioner qualifies for the grant of patta under the relevant Government Order or Scheme pertaining to the grant of such patta. Therefore a positive direction cannot be issued in such regard.

4. However, since the petitioner has submitted a representation on 28.04.2021, the fourth respondent herein is directed to consider such representation and pass a reasoned order thereon within a period of three months from the date of receipt of a copy of this order. Such reasoned order shall be passed after providing a reasonable opportunity to the petitioner.

5. Accordingly, W.P(MD).No.13634 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-I)

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Sub Assistant Registrar(CS)

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To

1. The Commissioner,
Revenue and Disaster Management,
Ezhilagam, Chepauk,
Chennai - 600 005.
2. The District Collector,
Office of the District Collector,
Sivagangai District.
3. The Revenue Divisional Officer,
Devakottai, Sivagangai District.
4. The Tahsildar,
Karaikudi, Sivagangai District.



5. The Commissioner,
Karaikudi Municipality,
karaikudi, Sivagangai District.

+1 CC to M/s.SPL GP (SR-25600[F] dated 09/08/2021)

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