



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.13842 of 2021

R.Vijayalakshmi

... Petitioner

Vs.

The Tahsildar,
Tahsildar Office,
Palani,
Dindigul District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to issuance of House patta in Survey No. 1056 in situated at 659, Ramanathan Nagar, Sivakiripatti Village, Palani Taluk, Dindigul District and based on the petitioner's representation, dated 30.11.2020.

For Petitioner : Mr.A.Vadivel

For Respondent : Mr.R.Baskaran
Counsel for State.

ORDER

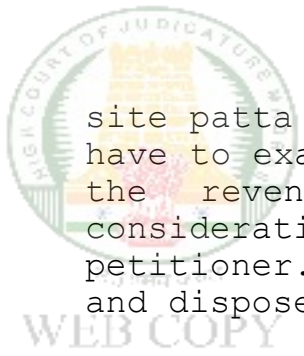
The petitioner seeks a direction to the respondent for issuance of a house-site patta in respect of the property bearing Survey No.1056, situated at 659, Ramanathan Nagar, Sivakiripatti Village, Palani Taluk, Dindigul District.

2. The petitioner states that she has resided in the above mentioned address for more than 25 years. In support thereof, the petitioner refers to a certificate issued by the Village Administrative Officer. She also refers to the house tax receipt, E.B. bill and ration card.

3. She states that the aforesaid property is classified as Nanthavanam, which she claims is equivalent to Natham Poramboke land. On such basis, she submitted a representation on 30.11.2020 to the respondent and seeks a mandamus for issuance of house-site patta.

4. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of the respondent and submits that the Tahsildar may be directed to consider and dispose of the petitioner's representation on merits.

5. A mandamus to direct the respondent to issue a house-



site patta cannot be granted. Needless to say, the respondent would have to examine the classification of the relevant parcel of land in the revenue records and take into account other material considerations before deciding whether to grant patta to the petitioner. Nonetheless, the respondent may be directed to consider and dispose of the said representation on merits.

6. Accordingly, without going into the merits of the matter, W.P.(MD).No.13842 of 2021 is disposed of by directing the respondent to consider the representation dated 30.11.2020 of the petitioner, and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and any other persons who may be affected by such order. Such reasoned order shall be passed within a period of three (3) months from the date of receipt of a copy of this order. There will be no order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg

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

The Tahsildar,
Tahsildar Office,
Palani,
Dindigul District.

+1 CC to M/s.A.VADIVEL, Advocate (SR-25857[F] dated 11/08/2021)

+1 CC to M/s.GP (SR-26060[F] dated 12/08/2021)

W.P (MD) No.13842 of 2021
10.08.2021

RD(19.08.2021) 2P 4C