



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.14101 of 2021

Annakili

... Petitioner

Vs.

1. The District Collector,
Pudukottai.
2. The District Revenue Officer,
Pudukottai.
3. The Revenue Divisional Officer,
Illupur Post and Taluk,
Pudukottai District.
4. The Tahsildar,
Kulathur Post and Taluk,
Pudukottai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 3 and 4 to issue patta to the petitioner for S.No.345-0.01.65 acres of Puliyur Village, Kulathur Taluk, Pudukottai District, within a reasonable period of time to be stipulated by this Court.

For Petitioner : Mr.P.Ganapathi Subramanian
For Respondents : Mr.R.Baskaran
Counsel for State

ORDER

The petitioner seeks the issuance of a patta in respect of land bearing survey No.345 in Puliyur Village, Kulathur Taluk, Pudukottai District.

2.The petitioner states that she is in possession and enjoyment of the land described above and that he had put up a thatched house in the year 2013 under the Chief Minister's Housing Scheme. Upon repeated requests to the Revenue Officials to grant patta, it is stated that the Revenue Inspector, Killukottai Village, issued a notice on 16.12.2019 and invited objections for the grant of patta to the petitioner. Since there were no objections from anyone, the Revenue Inspector Killukottai Village, sent a proposal to the fourth respondent to Sub divide survey No.345 into survey No.345/1 and 345/2 and for the grant of patta.



3. The petitioner admits that survey No.345 is classified in the relevant revenue records as Salai and that therefore a request for re-classification of such lands as natham is pending before the third respondent.

4. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the third respondent may be directed to dispose of the petitioner's request for re-classification on merits.

5. In the facts and circumstances set out above, it is evident that the petitioner's request has to proceed in two stages. As the first stage, the land would have to be re-classified as natham. The grant of patta can only be made after such re-classification.

6. Accordingly, the third respondent herein is directed to consider the proposal for conversion of the land in survey No.345/2 into natham and dispose of such request by a reasoned order within a period of three months from the date of receipt of a copy of this order. Before taking a decision, the third respondent is directed to provide a reasonable opportunity to the petitioner.

7. W.P.(MD).No.14101 of 2021 is disposed of on these terms without any order as to costs. It will be open to the petitioner to initiate further action for the grant of patta once the re-classification is effected.

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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,
Pudukottai.

2. The District Revenue Officer,
Pudukottai.

3. The Revenue Divisional Officer,
Taluk, Pudukottai District.



4. The Tahsildar,
Kulathur Post and Taluk,
Pudukottai District.

+1 CC to M/s.GP (SR-26240[F] dated 13/08/2021)

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**W.P (MD) No.14101 of 2021
12.08.2021**

RD(23.08.2021) 3P 6C