



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 01.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.17713 of 2021

L.Kaniammal

... Petitioner

Vs.

1.The District Collector,
Madurai.

2.The Thasildhar,
North Taluk,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the respondents to issue patta in the petitioner's name in respect of the property comprised in S.No.79 to an extent of 4 acres 43 cents situated at Kovilpapakudi, Madurai District on the basis of the petitioner's representation dated 16.08.2021.

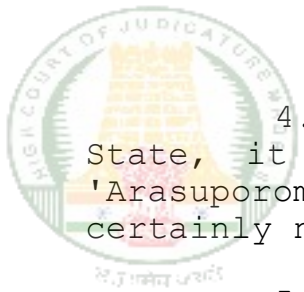
For Petitioner : Mr.R.G.Shankar Ganesh
For Respondents : Mr.K.S.Selva Ganesan
Counsel for State.

ORDER

The petitioner seeks a direction for the issuance of a patta in respect of the property bearing Survey No.79 of an extent of 4 Acres and 43 Cents at Kovilpapakudi, Madurai District.

2. The petitioner states that her father-in-law was in possession and enjoyment of the above mentioned property for several years. A communication dated 04.04.1966 from the then District Collector is cited in support of the request for patta. The petitioner states that her father-in-law died. Thereafter, her husband died on 06.12.2018. As a result, she became the sole legal heir. After submitting a representation dated 16.08.2021 seeking the issuance of a patta, the present Writ Petition is filed.

3. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of both the respondents. On instructions, he submits that the relevant property is a Government poramboke property, which is classified in the relevant revenue records as 'Vandipathai'. In support of such contention, he produces a copy of the extract from the 'A' register. He also produces the relevant FMB sketch.



4. From the document produced by learned counsel for the State, it is evident that Survey No.79 has been classified as 'Arasuporomboke' and as 'Vandipathai'. Therefore, the petitioner is certainly not entitled to a patta in respect of the said property.

5. Consequently, W.P.(MD).No.17713 of 2021 is dismissed without any order as to costs.

Sd/-

Assistant Registrar (A.D.I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/nsr

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,
Madurai.

2.The Thasildhar,
North Taluk,
Madurai District.

+1 CC to M/s.R.G.SHANKAR GANESH, Advocate (SR-30987[F] dated 04/10/2021)

+1 CC to M/s.SPL.GP (SR-31035[F] dated 04/10/2021)

W.P (MD) No.17713 of 2021
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RD(18.10.2021) 2P 5C