



WEB COPY



W.P.No.28786 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2022

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.28786 of 2010

and

W.M.P.No.1 of 2010

C.Ayyasamy

... Petitioner

Vs.

1.The Government of Tamil Nadu rep. by
The Secretary to the Government,
Revenue Department, Fort St.George,
Chennai – 600 009.

2.The District Revenue Officer,
Dharmapuri – 636 705.

3.The Tahsildar,
Dharmapuri – 636 701.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the third respondent in O.Mu.22341/2009(A1) dated 22.01.2010 and quash the same and direct the respondents to assign the lands in possession of the petitioner in S.No.209/1 of extent 0.47.0 hectares in Semmandakuppam Village, Dharmapuri Taluk, Dharmapuri District.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.G.Krishna Raja,

Additional Government Pleader



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ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the third respondent in O.Mu.22341/2009(A1) dated 22.01.2010 and quash the same and direct the respondents to assign the lands in possession of the petitioner in S.No.209/1 of an extent 0.47.0 hectares in Semmandakuppam Village, Dharmapuri Taluk, Dharmapuri District.

2. The case of the petitioner is that he is poor, landless person and is in continuous possession of the aforesaid property. During the year 1984, the petitioner had constructed a terraced house and obtained electricity service connection for the aforesaid property. Further, he made application/representation dated 23.08.2010 before the respondents, for issuance of Patta in respect of the aforesaid property. However, the said application was rejected on the ground, that the assignment cannot be granted for Poramboke lands situated within a circumference of 8 kms from Dharmapuri District Headquarters and the present impugned order was passed. Challenging the same, the petitioner filed the present Writ Petition.

<https://www.mhc.tn.gov.in/judis> 3. The learned counsel for the petitioner submitted that during the



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pendency of this petition, the petitioner had passed away. Therefore, the present petition may be dismissed as abated with liberty to the legal heirs of the petitioner to file a fresh petition before the Competent Authority for issuance of Patta.

4. Recording the submission made by the learned counsel for the petitioner, this Writ Petition is dismissed as abated. The legal heirs of the petitioner are at liberty to file a fresh application, if they want to pursue the case. No costs. Consequently, connected miscellaneous petition is closed.

24.08.2022

Index : Yes / No
Speaking order : Yes / No
jd

To

- 1.The Secretary to the Government,
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Chennai – 600 009.
- 2.The District Revenue Officer,
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M.DHANDAPANI, J.

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