



W.P.No.39540 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.09.2022

CORAM :
THE HONOURABLE MR. JUSTICE M.DHANDAPANI

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Muniamma

... Petitioner

Vs.

1.The District Collector,
Krishnagiri.

2.The District Revenue Officer,
Krishnagiri.

3.The Revenue Divisional Officer,
Hosur,
Krishnagiri District.

4.The Tahsildar,
Hosur,
Krishnagiri District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Mandamus directing the respondents to issue patta in favour of the petitioner in Survey No.88/2, Singasadhanapalli Village, Hosur Taluk, Krishnagiri District.

For Petitioner : N.Sureka

For Respondents : Mr.U.Bharanidharan,

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Additional Government Pleader

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ORDER

The petition has filed this writ petition for issuance of Writ of Mandamus directing the respondents to issue patta in favour of the petitioner in Survey No.88/2, Singasadhanapalli Village, Hosur Taluk, Krishnagiri District.

2. The case of the petitioner is that the property in Survey No.88/2 in Singasadhanapalli Village to an extent of 2.52.5 acres was originally belongs to petitioner's grandfather. After his demise, the said property was inherited by petitioner's mother. Thereafter, the property was inherited by the petitioner and she is in continuous possession and enjoyment of the subject property, however, the said property is classified as “poramboke land” in the revenue records under Inam Abolition Act. Therefore, the petitioner made a representation dated 10.09.2016 before the first respondent seeking for issuance of patta on her favour for the aforesaid subject property, but, till date, no order was passed. Hence, this writ petition.

3. Learned counsel for the petitioner would submit that it would suffice,



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if this Court may issue a direction to the respondents to consider the petitioner's representation dated 10.09.2016, within a time frame that may be fixed by this Court.

4. Learned Additional Government Pleader appearing for the respondents would submit that the subject property is a Government Poramboke land and the said land has been classified as unassessed waste. The petitioner has encroached the said Government land and claiming the right over the same and mere encroachment in Government land will not confer any right to the petitioner. The petitioner is paying B. Memo charges to the Government for her illegal occupation of Government land. The subject land is valuable one and the said land is required for future Government purpose. Moreover, Hosur is a Industrial Town and the lands in this Taluk are very valuable one. The Government have proposed to establish SIPCOT, Special Economic Zone in this Taluk and assignment of Government land has been banned in this Taluk and for the same, G.O.Ms.No.1168/89 dated 25.07.1989 was issued. Hence patta will not be issued to the petitioner as per law.



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5. Heard the learned counsel on either side and perused the materials placed on record.

6. Considering the facts and circumstances of the case, though the respondents claims that there is an ban for assignment of land in Hosur Taluk, the counter did not reveal whether the petitioner's representation is disposed of or not. Hence, this Court directs the respondents to consider the petitioner's representation dated 10.09.2016 and pass appropriate orders on merits within a period of six weeks from the date of receipt of a copy of this order.

7. Accordingly, this writ petition is disposed of. No costs.

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Index : Yes/No

Speaking Order : Yes/No



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M.DHANDAPANI,J.

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