



W.P.No.32544 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.32544 of 2022

Vasanthi

.... Petitioner

-Vs-

1.The District Collector
Chengalpet, Chengalpet District.

2.The District Revenue Officer
Chengalpet, Chengalpet District.

3.The Sub-Collector / Revenue Divisional Officer
Chengalpet, Chengalpet District.

4.The Tahsildar
Thiruporur (Taluk), Thiruporur
Chengalpet District.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 4th respondent to issue patta bearing S.No.43/3 extent 93 ares situated at Kezhur Village, Thiruporur Taluk, Chengalpet District and consider the petitioner's representation dated 01.11.2022.

For Petitioner : Mr.R.Chandrasekaran

For Respondents : Mr.R.P.Muruganraja
Government Advocate



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ORDER

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The prayer sought for herein is for a Writ of Mandamus directing the 4th respondent to issue patta bearing S.No.43/3 extent 93 ares situated at Kezhur Village, Thiruporur Taluk, Chengalpet District and consider the petitioner's representation dated 01.11.2022.

2. The petitioner claims that she has been in possession and enjoyment of the property at S.No.43/3, to the extent of 93 ares situated at Kezhur Village, Thiruporur Taluk, Chengalpet District. According to the learned counsel for the petitioner, even though the land belongs to the Government, since the petitioner had been in possession and enjoyment of the property for long years, as the petitioner is a landless poor, the land which has been under the occupation of the petitioner can be assigned to her under the welfare scheme being envisaged and implemented by the Government. In this regard, a representation has been given by the petitioner on 11.11.2022 to the fourth respondent and in order to consider the same, the present writ petition has been filed.

3. Heard the learned Government Advocate appearing for the respondents, who would submit that if it is a Government Poramboke land belonging to the Government, the decision has to be taken by the Government whether assignment can be made to the petitioner under the landless poor



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category based on the merits and that power also is vested with the District Collector. Therefore, if at all the petitioner gives a representation to the District Collector, that would be considered on merits and in accordance with law within a time limit that may be stipulated by this Court.

4. Considering the said submission made by the learned Government Advocate and having regard to the factual matrix of the case, this Court is inclined to dispose of this writ petition with the following order.

“ That it is open to the petitioner to make an application to the District Collector seeking assignment of the land in her possession and enjoyment for several years and on receipt of such application, the same shall be considered on merits and in accordance with law by the first respondent / District Collector. A decision shall be made and communicated to the petitioner within six weeks from the date of receipt of a copy of this order.”

5. With the above direction, this writ petition is disposed of. No costs.

06.12.2022

Index : Yes/No
Internet : Yes/No
KST

R. SURESH KUMAR, J.



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