



W.P.(MD)No.431 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 24.11.2022

CORAM

THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.431 of 2021

Murugayee, W/o.Maniyan

.. Petitioner

Versus

1.The District Collector,
Office of the District Collector,
Dindigul District.

2.The Revenue Divisional Officer,
Palani Taluk,
Dindigul District.

3.The Tahsildar,
Palani Taluk,
Dindigul District.

4.The Village Administrative Officer,
A.Kalaiyapudhur Village,
Palani Taluk,
Dindigul District.

.. Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the above said respondents to grant free Patta on the basis of the petitioner's representation dated 11.11.2020, within a time frame, by perusing all the documents, including the application made by the petitioner dated 31.01.2020.



W.P.(MD)No.431 of 2021

For Petitioner : Mr.R.Babu Jaganath
For Respondents : Mrs.K.Christy Theboral
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents to grant free house site Patta on the basis of her representation, dated 11.11.2020, within a time frame, by perusing all the documents, including the application made by her, dated 31.01.2020.

2. Today, when the matter is taken up for hearing, the learned Additional Government Pleader appearing for the respondents 1 to 4, on instructions, submits that the petitioner seeks free house site Patta in respect of S.No.1333/4. The said property stands as Vinayagar Temple in the Village accounts and there is a joint Patta, bearing No.1201, in respect of S.No.763, measuring an extent of 0.56.50 Ares, stands in the name of one Mariayee, who is the sister of the petitioner herein. Further, the petitioner is in possession and enjoyment of the land belonging to her sister Mariayee and her mother, namely, Murugathal without obtaining Patta. Moreover, the petitioner's husband has a land at Thamaraikulam Village and therefore, free house site Patta cannot be granted to the petitioner. Hence, the Petition is liable to be dismissed.



W.P.(MD)No.431 of 2021

3. Considering the aforesaid facts and circumstances of the case and also considering the fact that the application of the petitioner, dated 31.01.2020 and the representation, dated 11.11.2020, so far have not been disposed of, this Court, without going into the merits of the case, directs the third respondent to pass appropriate orders on the petitioner's application dated 31.01.2020, and the representation, dated 11.11.2020, within a period of four weeks from the date of receipt of a copy of this order.

4. This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No
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W.P.(MD)No.431 of 2021

V.BHAVANI SUBBAROYAN, J.

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