



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.4853 of 2022

K.Alagar @ Alagarsamy

.. Petitioner

Vs

1.The Additional Chief Secretary to Government,
Revenue and Disaster Management Department,
Secretariat,
Chennai - 600 009.

2.The Commissioner of Land Administration,
Ezhilagam 2nd Floor,
Chepauk,
Chennai - 600 005.

3.The District Collector,
Madurai District,
Madurai - 625 020.

4.The Commissioner,
Madurai Corporation,
"Anna Maligai"
Tallakulam,
Madurai - 625 002.

5.The Tahsildar,
Madurai South Taluk,
Madurai - 625 020.

6.The Assistant Divisional Engineer (Highways)
(Construction and Maintenance),
Madurai West,
Alagarkoil Road,
Tallakulam,
Madurai - 625 002.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the first respondent to consider the petitioners representations, dated 29.11.2021 and 22.12.2021 in the light of the orders issued in Clause -4 (vii) in G.O.(D).No.318 Revenue and Disaster Management Department, Land disposal Wing, LD-1(2) Section dated 30.08.2019 and allot an alternative house site or house with patta in a habitat location within North Madurai Village, Madurai South Taluk, Madurai District, within a time limit to be fixed by this Court.



For Petitioner : Mr.A.Thirumurthy
For Respondents : Mr.B.Saravanan
for R1 to R3, R5 and R6
Additional Government Pleader
Mrs.S.Devasena for R4
Standing Counsel

WEB COPY

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to consider the petitioner's representations, dated 29.11.2021 and 22.12.2021, in the light of the orders issued in Clause -4 (vii) in G.O.(D).No.318 Revenue and Disaster Management Department, Land disposal Wing, LD-1(2) Section dated 30.08.2019 and allot an alternative house site or a house with patta in a habitat location within North Madurai Village, Madurai South Taluk, Madurai District, within a time limit to be fixed by this Court.

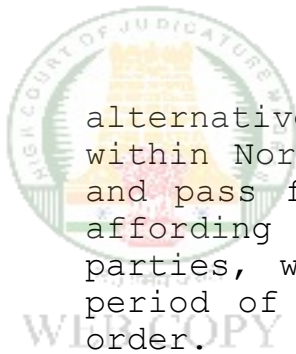
2.According to the petitioner, he is entitled to apply for free house site patta under the aforementioned Government Order, dated 30.08.2019. He has submitted representations on 29.11.2021 and 22.12.2021 for the said purpose. Since his representations have not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.A.Thirumurthy, learned counsel appearing for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 to 3, 5 and 6 and Mrs.S.Devasena, learned Standing counsel, who accepts notice on behalf of the fourth respondent.

4.The petitioner has filed documents along with the writ petition, and enclosed Government Orders referred to supra, under which the petitioner claims that he is entitled to apply for free house site patta.

5.No prejudice will be caused to the respondents, if the petitioner's representations are considered on merits and in accordance with law, after affording a fair hearing to the petitioner and other necessary party, whom the first respondent deems fit to enquire.

6.Accordingly, this Court directs the first respondent to consider the petitioner's representations, dated 29.11.2021 and 22.12.2021, in the light of the orders issued in Clause -4 (vii) in G.O.(D).No.318 Revenue and Disaster Management Department, Land disposal Wing, LD-1(2) Section dated 30.08.2019 and allot an



alternative house site or a house with patta in a habitat location within North Madurai Village, Madurai South Taluk, Madurai District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and other necessary parties, whom the first respondent deems fit to enquire, within a period of four months from the date of receipt of a copy of this order.

7. With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

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 Additional Chief Secretary to Government,
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+1 CC to M/s.A.THIRUMURTHY, Advocate (SR-13026[F] dated
18/03/2022)

+1 CC to M/s.SPL GP (SR-13173[F] dated 21/03/2022)

W.P. (MD)No.4853 of 2022
18.03.2022

RK(28/03/2022) 4P 9C