



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.5699 of 2022

M.Thottichi

... Petitioner

Vs.

The Tahsildar,
Tahsildar Office,
Othakadai,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to give patta for the suit property of 5.9 cents out of 59 cents bearing in Survey No.26/3B situated at Meenatchi Nagar, Veerapanjan Village, Madurai within the time that may be stipulated by this Honble Court.

For Petitioner

: Mr.G.M.Xavier

For Respondent

: Mr.B.Saravanan

Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to give free house site patta in respect of the property measuring 5.9 cents out of 59 cents in Survey No.26/3B situated at Meenatchi Nagar, Veerapanjan Village, Madurai, based on the Resolution Nos.174 and 24 dated 28.01.2006 and 10.01.2014, respectively, passed by the Panchayat within a time frame to be fixed by this Court. The petitioner has also given a representation on 20.10.2021 for the said purpose. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

2.Heard Mr.G.M.Xavier, learned Counsel for the writ petitioner and Mr.B.Saravanan, learned Additional Government Pleader who accepts notice on behalf of the respondent.

3.According to the petitioner, as per the aforementioned resolutions, she is entitled for a free house site patta for the aforementioned property. The petitioner has given a representation dated 20.10.2021 for the said purpose. Admittedly, the said representation has not been considered till date.

4.Learned Additional Government Pleader appearing for the respondent would submit that Tahsildar [East], Othakadai, Madurai is the competent authority to consider the petitioner's representation.



5.No prejudice would be caused to the respondent if the representation of the petitioner dated 20.10.2021 is considered on merits and in accordance with law after affording a fair hearing to the petitioner including granting her the right of personal hearing.

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6.Accordingly, this Court directs the Tahsildar (East), Othakadai, Madurai, to consider the petitioner's representation dated 20.10.2021 requesting for free house site patta for the property measuring 5.9 cents out of 59 cents in Survey No.26/3B situated at Meenatchi Nagar, Veerapanjan Village, Madurai and pass final orders on merits and in accordance with law in the light of the Resolution Nos.174 and 24 dated 28.01.2006 and 10.01.2014, respectively, within a period of twelve [12] weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

1.The Tahsildar [East],
Tahsildar Office,
Othakadai,
Madurai.

2.The Tahsildar,
Tahsildar Office,
Othakadai Madurai,
Madurai.

+1 CC to M/s.SPL GP (SR-15706[F] dated 31/03/2022)

+1 CC to M/s.G.M.XAVIER, Advocate (SR-15857[F] dated 31/03/2022)

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30.03.2022

SVN(CO)

KB(08.04.2022) 2P 5C