



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.6193 of 2022

and W.M.P. (MD) .No.4791 of 2022

WEB COPY

C.Manivasagam

.. Petitioner

Vs

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

2.The District Revenue Officer,
Office of the District Revenue Officer,
Madurai District.

3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai Revenue Division,
Madurai District.

4.The Tahsildar,
Madurai North Taluk,
Madurai District.

5.The Special Tahsildar (Land Administration),
Adi - Dravidar Welfare Unit - II Department,
District Collectorate, Madurai - 625 020,
Madurai District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, forbearing the respondents from in any manner proceedings with the construction of free houses based on fraudulent pattas which were obtained through fraudulent manner by suppressing earlier allotments in their favour by considering the petitioner's representation, dated 05.02.2022.

For Petitioner : Mr.B.Fazil Kirmani

For Respondents : Mr.D.Sasikumar,

Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking a direction to forbear the respondents from in any manner proceeding with the construction of free houses based on fraudulent pattas which were obtained through fraudulent manner by suppressing earlier allotments in their favour, by considering the petitioner's



representation, dated 05.02.2022, within a time frame to be fixed by this Court.

2. According to the petitioner, based on fraudulent pattas free houses were built under a Government Scheme. The petitioner has given a representation on 05.02.2022 with the official respondents to forbear them from proceeding with the construction of free houses based on the alleged fraudulent pattas. Since the representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.B.Fazil Kirmani, learned counsel for the petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4. On instructions, the learned Additional Government Pleader, submits that the petitioner's representation has already been taken on file and the second respondent is holding enquiry. The said statement is recorded.

5. No prejudice will be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner.

6. Accordingly, this Court directs the second respondent to consider the representation of the petitioner, dated 05.02.2022, to forbear the respondents from in any manner proceeding with the construction of free houses based on fraudulent pattas which were obtained through fraudulent manner by suppressing earlier allotments in their favour and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of three 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. Consequently, connected miscellaneous petition is closed.

Sd/-

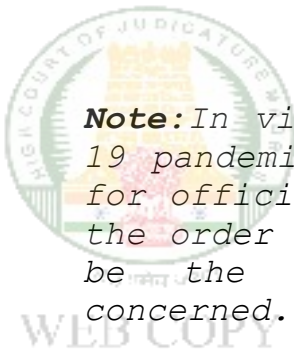
Assistant Registrar (CS-I)

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/ /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 District Collector,
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- 5.The Special Tahsildar (Land Administration),
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District Collectorate, Madurai - 625 020,
Madurai District.

+1 CC to M/s.SPL.GP (SR-17027[F] dated 06/04/2022)

W.P. (MD)No.6193 of 2022

05.04.2022

KS (CO)

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