



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.7397 of 2022

Shanmuga Sundari

... Petitioner

Vs.

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

2.The Tahsildar,
Office of the Taluk Office,
Thoothukudi.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent herein to give the patta to the petitioner in favour petitioner property comprised in Survey No.245/1 situated at Nallamalai, Maravanmadam, Thoothukudi District on the basis of her representation dated 25.02.2022 within the time fixed by this Court.

For Petitioner	:	Mr.V.Malaiyendran
For Respondents	:	Mr.D.Sasikumar, Additional Government Pleader.

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to issue free patta in favour of the petitioner in respect of the property comprised in Survey No.245/1 situated at Nallamalai, Maravanmadam, Thoothukudi District based on the petitioner's representation dated 25.02.2022 within a time frame to be fixed by this Court.

2. The petitioner claims that she is in possession and enjoyment of the property comprised in Survey No.245/1 situated at Nallamalai Village, Maravanmadam Panchayat, Thoothukudi District. According to the petitioner, she has been paying the necessary taxes to the Panchayat ever since 2013 and electricity service connection is also standing in her name. The petitioner also claims that she is entitled for free patta. In such circumstances, she has given a representation on 25.02.2022 to the respondents requesting them to



issue free patta for the aforementioned property. Since her representation has not been considered till date, she has filed this Writ Petition.

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

4. The petitioner has filed documents along with the Writ Petition to substantiate her claim that she is entitled for free patta for the aforementioned property. It is for the respondents to consider the same on merits and in accordance with law. The petitioner has given a representation on 25.02.2022 to the respondents requesting for free patta.

5. No prejudice would 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 including granting her the right of personal hearing.

6. For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 25.02.2022 seeking for issuance of free patta in her name in respect of the property comprised in Survey No.245/1 situated at Nallamalai Village, Maravanmadam Panchayat, Thoothukudi District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner including granting her the right of personal hearing, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (RTI)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

To

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



2.The Tahsildar,
Office of the Taluk Office,
Thoothukudi.

+1 CC to M/s.V. MALIYENDRAN, Advocate (SR-19883[F] dated 20/04/2022)

+1 CC to M/s.SPL.GP (SR-20071[F] dated 21/04/2022)

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SRR(CO)

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