



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.8324 of 2022

P.Nagaraj

... Petitioner

/Vs./

- 1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Revenue and Disaster Management Department,
Fort St.George,
Chennai - 3.
- 2.The District Collector,
District Collectorate,
Ramanathapuram District.
- 3.The Sub Collector cum Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.
- 4.The Tahsildhar,
Keelakarai Taluk,
Ramanathapuram District.
- 5.The Block Development Officer,
Thiruppullani Panchayat Union,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondent No.2 to 5 herein Regularize the House of the petitioner by granting House Site Patta to the Tiled House of the petitioner in Survey No.410 to an extent of 3.5 cents in Door No.9/236 at Lakshmipuram Village, Kanchirankudi, Keelakarai Taluk, Ramanathapuram District, in the light of the orders passed by the Hon'ble Division bench of this Court in WP(MD)No. 23293 of 2018 dated 02.01.2019 and in accordance with the Government order in G.O.Ms.No.465 dated 27.11.2018 and G.O.Ms.No.800 dated 28.12.2020 on the file of Respondent No.1 within the time period stipulated by this Court.



For Petitioner : Mr.T.Lajapathi Roy
For R1 to R4 : Mr.D.Sasikumar
Additional Government Pleader.
For R5 : Mr.P.Thilakkumar
Government Pleader

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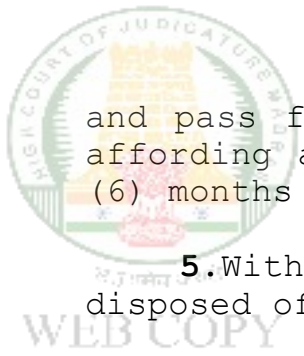
ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents No.2 to 5 to regularize the house of the petitioner by granting House Site Patta in his name in respect of the property in Survey No.410 measuring to an extent of 3.5 cents in Door No.9/236 at Lakshmipuram Village, Kanchirankudi, Keelakarai Taluk, Ramanathapuram District, in the light of the orders passed by the Division bench of this Court in WP(MD)No.23293 of 2018 and batch dated 02.01.2019 and in accordance with the Government order in G.O.Ms.No.465 dated 27.11.2018 and G.O.Ms.No.800 dated 28.12.2020, within a time frame to be fixed by this Court.

2.According to the petitioner, he is in possession of the aforementioned property for the past 40 years. It is the case of the petitioner that the government has also constructed a community temple and a community hall and the photographs of the same have been enclosed along with this writ petition. According to the petitioner, as per the aforementioned Government Orders and as per the decision of the Division bench of this Court passed in WP(MD) No.23293 of 2018 and batch dated 02.01.2019, the petitioner is entitled to apply for regularization of his house and for grant of house site patta for his property. The petitioner has given a representation on 21.04.2022 for the said purpose.

3.No prejudice would be caused to the second respondent, if the representation of the petitioner is considered on merits and in accordance with law, in the light of the aforementioned Government Orders and the decision of the Division bench of this Court passed in WP(MD)No.23293 of 2018 and batch dated 02.01.2019, after affording a fair hearing to the petitioner.

4.For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation dated 21.04.2022 seeking for regularization of his house and for grant of House Site Patta in respect of the property comprised in Survey No.410 measuring to an extent of 3.5 cents in Door No.9/236 at Lakshmipuram Village, Kanchirankudi, Keelakarai Taluk, Ramanathapuram District, in the light of the orders passed by the Division bench of this Court in WP(MD)No.23293 of 2018 and batch dated 02.01.2019 and in accordance with the Government order in G.O.Ms.No.465 dated 27.11.2018 and G.O.Ms.No.800 dated 28.12.2020



and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, within a period of six (6) months from the date of receipt of a copy of this order.

5. With the aforesaid 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)

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To:

1. The Principal Secretary,
State of Tamil Nadu,
Revenue and Disaster Management Department,
Fort St. George, Chennai - 3.
2. The District Collector,
District Collectorate,
Ramanathapuram District.
3. The Sub Collector cum Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Ramanathapuram,
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Ramanathapuram District.
5. The Block Development Officer,
Thiruppullani Panchayat Union,
Ramanathapuram District.

+1 CC to M/s.SPL.GP (SR-22341[F] dated 28/04/2022)

+1 CC to M/S.T.LAJAPATHI ROY, Advocate, SR-21998 dated 28/04/2022

W.P. [MD]No.8324 of 2022

(5/9)

Dated:

27.04.2022