



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.9430 of 2021

Saraswathi

... Petitioner

Vs.

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

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kodaikanal,
Dindigul District.

3.The Tahsildar,
Office of the Tahsildar,
Kodaikanal,
Dindigul District.

4.The Village Administrative Officer,
Office of the Village Administrative Officer,
Villpatti Village,
Kodaikanal,
Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to grant patta to the petitioner's name in Dindigul District, Kodaikanal Taluk, Vilpatti Village, Old Survey No.1979/1, New Survey No.1952/2 on the basis of the order in e.f.vz;.1505/2019 dated 30.07.2020 and recommendation made by the second respondent in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.S.Abdul Rahuman

For Respondents : Mr.M.Lingadurai

Special Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the first respondent to grant patta in the petitioner's name in respect of the property at Vilpatti Village, Kodaikanal Taluk, Dindigul District, comprised in Old Survey No.1979/1, New Survey No.1952/2 on the basis of the recommendation given by the second respondent dated 30.07.2020.



2. According to the petitioner, she is the owner of the aforementioned property and is in possession of the same. She has submitted an application on 02.05.2021 seeking for issuance of patta in her name. It is also her case that the second respondent by his order dated 30.07.2020 has also recommended her case but till date, the application of the petitioner has not been considered and in such circumstances, she has filed this writ petition.

3. Heard Mr.S.Abdul Rahuman, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader who accepts notice on behalf of the respondents.

4. No prejudice would be caused to the respondents if the petitioner's application seeking for issuance of patta in respect of the aforementioned property is considered on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner as well as any other rival claimants.

5. Accordingly, this Court directs the third respondent to consider the petitioner's application dated 02.05.2021 seeking for issuance of patta for the aforementioned property within a period of twelve [12] weeks from the date of receipt of a copy of this order and before passing the final order, the third respondent shall also consider the recommendation of the second respondent dated 30.07.2020. It is made clear that before passing the final order, the third respondent shall afford a fair opportunity of hearing to the petitioner as well as any other rival claimants.

6. With the aforesaid direction, this Writ Petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (LA&MC)

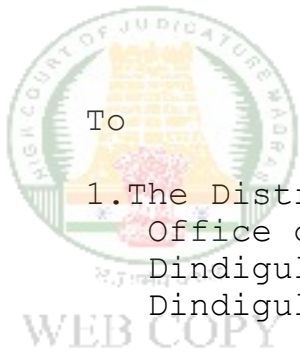
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/ /2022

Sub Assistant Registrar(CS)

MR

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,
Office of the District Collector,
Dindigul,
Dindigul District.
- 2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Kodaikanal,
Dindigul District.
- 3.The Tahsildar,
Office of the Tahsildar,
Kodaikanal,
Dindigul District.
- 4.The Village Administrative Officer,
Office of the Village Administrative Officer,
Villpatti Village,
Kodaikanal,
Dindigul District.

+1 CC to M/s.SPL GP (SR-6811[F] dated 17/02/2022)

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RJ(CO)
KB(07.03.2022) 3P 6C