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W.P.(MD)NO.11247 OF 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 22.08.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.11247 of 2022 and
W.M.P.(MD)No.8023 of 2022

J.Sundari

... Petitioner

Vs.

1. The District Collector,
O/o. The Collectorate,
Virudhunagar District.

2. The Tahsildar,
E.Kumaralingapuram,
Virudhunagar District.

3. The Village Administrative Officer,
E.Kumaralingapuram,
Sattur Taluk,
Virudhunagar District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to renew the house site patta issued in favour of the petitioner herein in Survey No.294/73 situated at E.Kumaralingapuram, Sattur Taluk, Virudhunagar, based on the representation given by the petitioner dated 04.02.2022.

For Petitioner : Mr.M.Jothiramalingam

For Respondents: Mr.M.Prakash,
Additional Government Pleader.

* * *



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ORDER

Heard the learned counsel on either side.

2. The petitioner's father Jagannathan was allotted a free house site patta in respect of the petition mentioned land in the year 2012. The petitioner's father is no more. The petitioner wanted to put up a house in the said site. She was prevented from doing so on the ground that the patta issued in favour of her father was already cancelled. The petitioner therefore sought issuance of fresh patta in her favour. She gave a representation dated 04.02.2022. Seeking consideration of the same, this writ petition came to be filed.

3. When the matter was taken up for hearing, I wanted the respondents to produce a copy of the cancellation order. Even though the order of cancellation was passed, the said order has not been produced before me. The respondents are not clear as to when the cancellation order was passed. They are also not sure if the petitioner's father was put on notice. The petitioner asserts that she had not received any communication from the respondents.



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4. It is well settled that a decision not communicated to the party concerned is nullity in law. The petitioner is permitted to give a fresh representation before the second respondent and the second respondent shall pass order thereon within a period of four weeks thereafter. This writ petition stands disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

22.08.2022

Index : Yes / No
Internet : Yes/ No

PMU

To:

1. The District Collector,
O/o. The Collectorate,
Virudhunagar District.
2. The Tahsildar,
E.Kumaralingapuram,
Virudhunagar District.
3. The Village Administrative Officer,
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Sattur Taluk,
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G.R.SWAMINATHAN,J.

PMU

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