



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 29.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.23055 of 2022

R.Dharmarajan

..Petitioner

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Tahsildar,
Peraiyur Taluk,
Peraiyur,
Madurai District.

..Respondents.

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to issue free house site patta for the property comprised in S.No.447/9, consisting of 375 sq.ft situated at Santhaiyur, Peraiyur Taluk, Madurai District on the basis of the Petitioner's representation sent to the respondents, dated 22.08.2022 and 19.09.2022 respectively, within the time frame fixed by this Court.

For Petitioner :Mr.P.Venkatesan

For Respondents:Mr.D.Sadiq Raja
Addl.Govt.Pleader

ORDER

The Petitioner has filed this Writ Petition seeking issuance of a Writ



of Mandamus directing the respondents to issue free house site patta for the property comprised in S.No.447/9, consisting of 375 sq.ft situated at Santhaiyur, Peraiyur Taluk, Madurai District on the basis of the Petitioner's representation sent to the respondents, dated 22.08.2022 and 19.09.2022 respectively, within the time frame fixed by this Court.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.When the matter is taken up for hearing today, the learned Additional Government Pleader appearing for the respondents produced a communication of the Tahsildar, Peraiyur, dated 27.10.2022 by stating that already the Petitioner has a house in S.No.447/9, measuring an extent of 00048 sq.meter in Patta No.678 and the Petitioner is residing there. Further, the Pertitioner has not sought for free house site in S.No. 446/1, measuring an extent of 0.82.51 sq.metre and the same was classified in the village accounts as "natham vacant site". In the said survey number, the Petitioner has put up a temporary construction by putting up a tin sheet shed for the past years thirty years and use it for commercial purpose as shop and it was now converted into a house by the Petitioner and that the Petitioner has encroached the said place by constructing a house and hence, free house site cannot be granted to that place. Moreover, the some community people opposed for grant of free



house site patta for the Petitioner and demanded to remove the said shop encroached upon by the Petitioner. Further, there is flag poles of different political parties and they also object for grant of free house site patta to the Petitioner and also a Writ Petition is pending for disposal in this regard and finally, the authorities have rejected the claim of the Petitioner made in the present Writ Petition.

4. In view of the above position, this Court is not in a position to entertain the present Writ Petition and the same is liable to be dismissed.

5. Accordingly, the Writ Petition stands dismissed. No costs.

29.11.2022

Index : Yes/No

Internet: Yes/No

vsn

To

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Madurai District,
Madurai.
2. The Revenue Tahsildar,
Peraiyur Taluk,
Peraiyur,
Madurai District.



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V.BHAVANI SUBBAROYAN,J
vsn

ORDER MADE IN
W.P(MD)No.23055 of 2022

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