



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 18.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26175 of 2022

Helenshia Batrice

..Petitioner

Vs

1.The Sub-Collector,
Cheranmahadevi,
Tirunelveli District.

2.The Tahsildar,
Thisayanvilai,
Tirunelveli District.

3.The Village Administrative Officer,
Thisayanvilai,
Thirunelveli 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 1 and 2 to consider the Petitioner's petition dated 11.7.2022 stating that the third respondent to correct the classification of Petitioner's land comprised in S.No.50/1C2 as patta land and issue Thooya Nila Udaimai Patta within the time stipulated by this Court.

For Petitioner :Mr.John Kennedy

For Respondents:Mr.A.Kannan
1 to 3 Addl. Govt.Pleader

ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus



directing the respondents 1 and 2 to consider the Petitioner's petition dated 11.7.2022 directing the third respondent to correct the classification of Petitioner's land comprised in S.No.50/1C2 as patta land and issue Thooya Nila Udaimai Patta within the time stipulated by this Court.

2.Mr.A.Kannan, learned Additional Government Pleader takes notice for the respondents 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the Petitioner is that the prayer mentioned house property was purchased by the Petitioner's father in the year 1997 from one Maharajan vide Document No.1047/1997.While so, the Petitioner's father died on 20.9.1998, leaving the Petitioner's mother Kamala Rukmani and his children as his legal heirs and by succession, the petitioner got the above said house property. After obtaining the said property, the Petitioner's mother applied for transfer of patta to their name on 30.1.2021.The third respondent issued Natham Nilavari Thooya Patta on 3.2.2021. It is a patta land and the third respondent has falsely classified as Natham land and hence, the Petitioner approached the revenue officers for change of classification. In this regard, the Petitioner sent a petition to the first respondent on 20.6.2022. In the previous patta also, the said land has been classified as Patta land. Again the Petitioner sent a remainder petition on 11.7.2022 to the first respondent and on



13.7.2022, the first respondent forwarded the same to the second respondent for necessary action. Till date no action has been taken on the said representation and hence, the Petitioner has filed this Writ Petition for the relief stated supra.

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 would submit that the Petitioner's representation will be considered on merits and in accordance with law, within the period stipulated by this Court.

5.In view of the above submission, this Court, without going into the merits of the matter, directs the second respondent to consider the representation of the Petitioner, dated 11.7.2022 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to all the parties concerned, within a period of 20 weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands disposed of. No costs.

18.11.2022

Index : Yes/No

Internet:Yes/No

vsn

<https://www.mhc.tn.gov.in/judis>



To

1. The Sub-Collector,
Cheranmahadevi,
Tirunelveli District.
2. The Tahsildar,
Thisayanvilai,
Tirunelveli District.
3. The Village Administrative Officer,
Thisayanvilai,
Thirunelveli District.



WEB COPY



5

V.BHAVANI SUBBAROYAN,J

vsn

ORDER MADE IN

W.P(MD)No.26175 OF 2022

18.11.2022



WEB COPY





WEB COPY





WEB COPY





WEB COPY





WEB COPY

