



WEB COPY

WP No.7762 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-08-2023

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

WP No.7762 of 2023

R.Murugasamy

... Petitioner

Vs.

1.The District Collector,
Tiruppur District,
Tiruppur.

2.The District Revenue Officer,
Tiruppur District,
Tiruppur.

3.The Revenue Divisional Officer,
Tiruppur Revenue Division,
Tiruppur District.

4.The Tahsildar,
Palladam Taluk,
Tiruppur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the



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impugned order dated 25.07.2022 in “Pa.Mu.581/2022/A3” of the fourth respondent and quash the same and consequently directing the respondents to issue patta in the name of the petitioner for the Residential Plot measuring about 252 Sq. Meters in Survey No.638/6, Karaipudur Village, Palladam Taluk, Tiruppur District with reference to the order dated 11.12.2001 in the proceedings of the third respondent in “Na.Ka.9972/2000 /A6”.

For Petitioner : Mr.M.Guruprasad

For Respondents : Mr.C.Jayaprakash,
Government Advocate.

ORDER

The petitioner submitted an application for grant of patta in respect of the land in his occupation.

2. The learned counsel for the petitioner states that the case of the petitioner is like that of the similarly placed persons in the very same village, which has already been considered and patta has been granted. The name of the petitioner was also included in the list of beneficiaries and the petitioner during the relevant point of time had failed to pay the land cost as demanded by the Competent Authorities.



3. When the petitioner subsequently made an application, the said application was not considered. Thus the petitioner filed WP No.24144 of 2021 and this Court by its order dated 10.11.2021 directed the Tahisldar to consider the representation and pass orders.

4. Pursuant to the directions issued, the impugned order has been passed by the fourth respondent in proceedings dated 25.07.2022. The impugned order reveals that the land in question is classified as 'Mandhai Poramboke'.

5. It is an objectionable poramboke land and therefore, the Tahsildar cannot grant patta in favour of the petitioner. In respect of such objectionable poramboke Government land, the Government has to take decision for the purpose of grant of patta to the eligible beneficiaries.

6. In view of the said impediment, the Tahsildar has refused to grant patta in favour of the petitioner.



7. The learned counsel for the petitioner also brought to the notice of this Court that the proposal has already submitted to the Government for the purpose of taking decision in respect of grant of patta. Thus the proposal is to be considered by the Government and only after passing appropriate orders from the Government, appropriate steps have to be taken by the Competent Authorities for considering the case of the petitioner. However, at this considerable length of time, the petitioner cannot claim patta as a matter of right to the Tahsildar or to the District Level Authorities.

8. With the above clarifications, the present writ petition stands disposed of. However, there shall be no order as to costs.

10-08-2023

Index : Yes/No
Internet: Yes/No
Speaking order/Non-Speaking order
Neutral Citation : Yes/No
Svn

To



1. The District Collector,
Tiruppur District,
Tiruppur.
2. The District Revenue Officer,
Tiruppur District,
Tiruppur.
3. The Revenue Divisional Officer,
Tiruppur Revenue Division,
Tiruppur District.
4. The Tahsildar,
Palladam Taluk,
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S.M.SUBRAMANIAM, J.

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