



WEB COPY



W.P.No.139 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.02.2023

CORAM :

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN
and
THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ**

**Writ Petition No.139 of 2018
and
W.M.P.Nos.201 to 203 of 2018**

C.Kalamani

.. Petitioner

Versus

1. State of Tamilnadu,
rep.by the District Collector,
Tiruppur District, Tiruppur.
2. The Sub Collector,
Tiruppur, Tiruppur District.
3. The Tahsildar,
Uthukuli Taluk, Tiruppur District.
4. K.Senthilnathan
5. V.Chitra

Respondents

..

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamas, calling for the records relating to the impugned orders made in Na.Ka.No.3445/17/A5 dated 15.11.2017 passed by the second respondent confirming the order in Na.Ka.No.3251/2017/A1, dated 27.07.2017 passed by the third respondent, quash the same and consequently direct the respondents 1 to 3 to grant patta to the petitioner for the said extent of 4 cents of Natham S.Nos.467/23 and 467/33 of Punjai



W.P.No.139 of 2018

Thalavaipalayam Village, Uthukuli Taluk, Tiruppur District.

For Petitioner : Ms.Adhishree
for Mr.N.Manokaran
For R1 to R3 : Mr.A.Selvendran,
Special Government Pleader
For R4 & R5 : No appearance

ORDER

(Order of the Court was made by R. MAHADEVAN, J.)

According to the petitioner, she has been in possession and enjoyment of the property measuring 4 cents comprised in natham S.No.467/23 and 467/33 (Old S.No.241/1 (Part)) of Punjai Thalavaipalayam Village, Uthukuli Taluk, Tiruppur District. While so, the respondents 4 & 5 filed a petition before the third respondent alleging that petitioner has put up construction in and over natham S.No.467/33 and hence, requested to remove the said encroachment. Based on the same, the third respondent issued notice dated 02.05.2017, to which the petitioner filed her objections along the sale deeds and other documents relating to her property. However, by order dated 27.07.2017, the third respondent rejected the said objection filed by the petitioner, but granted liberty to file an appeal to the second respondent. Accordingly, the petitioner filed an appeal before the second respondent, who intun rejected the same by order dated 15.11.2017. Feeling aggrieved, the petitioner has filed this writ



W.P.No.139 of 2018

petition to quash those two orders and consequently direct the respondent authorities to grant patta to her in respect of her property.

2. Today, when the matter is taken up for consideration, the learned counsel appearing for the petitioner fairly submitted that during the pendency of this writ petition, the encroachment has been removed. However, the learned counsel sought liberty to the petitioner to approach the authority concerned for issuance of patta.

3. Granting such liberty to the petitioner, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

[R.M.D., J.] [M.S.Q., J.]
01.02.2023

Index : Yes / No
Internet : Yes / No
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R. MAHADEVAN, J.
AND



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W.P.No.139 of 2018

MOHAMMED SHAFFIQ, J.

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To

1. The District Collector,
The State of Tamilnadu,
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2. The Sub Collector,
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3. The Tahsildar,
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