



WEB COPY

WP No.14018 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 01-06-2023**

CORAM

**THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM**

**WP No.14018 of 2023**

Sugantharani

... Petitioner

Vs.

1.The District Collector,  
Perambalur District,  
Perambalur.

2.The Thasildar,  
Perambalur Taluk,  
Perambalur District.

... Respondents

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the representation of the petitioner dated 28.03.2023 in accordance with law and direct the second respondent to issue free patta to the petitioner's land bearing Survey No.202, situated at No.5/24, North Street, Yesanai Vilage, Perambalur District.



For Petitioner : Mr.R.Srinivasa Rao  
For Respondents : Mr.T.Arunkumar,  
Additional Government Pleader.

### **ORDER**

The relief sought for in the present writ petition is to direct the respondents to consider the representation submitted by the petitioner on 28.03.2023 in accordance with law and direct the second respondent to issue free patta to the petitioner in respect of the land bearing Survey No.202, situated at No.5/24, North Street, Yesanai Vilage, Perambalur District.

2. Grant of 'Free Patta' under Government Welfare Scheme cannot be claimed as a matter of right. The High Court Cannot issue a direction even to consider the representation, which would do no service to the cause of justice. The person approaching the High Court has to establish her right to secure the relief in writ proceedings.

3. In the present case, the petitioner submitted representation seeking 'Free Patta' in respect of the Government land.



4. The learned counsel appearing on behalf of the petitioner states that the petitioner is in occupation of the Government land for several years. Mere occupation would not confer any right on the part of the petitioner for grant of 'Free Patta'.

5. 'Free Patta' is to be granted by the Government if any Scheme is in force and even while granting 'Free Patta', the Government has to assess the eligibility and other criteria to be fixed under the Scheme. The Government cannot discriminate in granting 'Free Patta' to the eligible candidates.

6. Thus in the event of introducing any Scheme by the Government, the petitioner has to submit an application for grant of 'Free Patta' and not otherwise. Mere possession of the Government land would not confer any right nor provide cause for filing the present writ petition. By getting an order of direction to consider the representation, the petitioner cannot establish any right.



7. Accordingly, the present writ petition stands dismissed.

However, there shall be no order as to costs.

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**01-06-2023**

Index : Yes/No

Internet: Yes/No

Speaking order/Non-Speaking order

Neutral Citation : Yes/No

Svn



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To

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**S.M.SUBRAMANIAM, J.**

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