

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2023

CORAM:

**THE HON'BLE MR.JUSTICE R.SUBRAMANIAN
AND
THE HON'BLE MRS JUSTICE L.VICTORIA GOWRI**

W.P(MD)No.6622 of 2023

T.Dhandapani

:Petitioner

.vs.

1.The District Collector,
O/o.The District Collector,
Dindigul District.

2.The Revenue Divisional Officer,
O/o.The Revenue Divisional Officer,
Palani Taluk,
Dindigul District.

3.The Tahsildar,
O/o.The Tahsildar,
Ottanchathiram Taluk,
Dindigul 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 Respondent No.2 to provide Patta to the petitioner in respect of the Survey No.163 to an extent of five cents situated at Appiyampatti-

Naalroad, Poosaripatti Village, Ottanchathiram Taluk, Dindigul District by considering the petitioner's representation, dated 10.10.2022 within the time stipulated by this Court.

For Petitioner :Mr.T.Thirumurugan

For Respondents :Mr.V.Nirmal Kumar
Government Pleader

ORDER

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

The petitioner seeks a writ of mandamus directing the second respondent to grant him patta in respect of Survey No.163 to an extent of 5 cents.

2. Mr.V.Nirmal Kumar, learned Government Advocate appearing for the respondents point out that the land in Survey No.163 has been classified as "road" and therefore, no patta could be granted.

3. In response to the said submission, the learned counsel appearing for the petitioner would draw our attention to G.O(Ms) No. 318, dated 30.08.2019, wherein, the Government had directed that the

persons below the poverty line residing at such objectionable encroachment shall be evicted after providing them an alternate accommodation.

4. The learned Government Advocate appearing for the respondents would also point out that the petitioner has been assigned certain lands measuring about 24 centiares in Natham Survey No.134 of Poosaripatti Village and has been in occupation by constructing residential house. The revenue records depicting the petitioner as occupier in survey No.134, have also been placed. Hence, the writ petition fails and it is accordingly, dismissed. No costs.

[R.S.M.,J.] & [L.V.G.,J.]
27.03.2023

Index:Yes/No
Internet:Yes/No
am

To

- 1.The District Collector,
Dindigul District.
- 2.The Revenue Divisional Officer,
Palani Taluk,
Dindigul District.
- 3.The Tahsildar,
Ottanchathiram Taluk,
Dindigul District.

W.P(MD)No.6622 of 2023

R.SUBRAMANIAN, J.
AND
L.VICTORIA GOWRI, J.

am

ORDER MADE IN
W.P(MD)No.6622 of 2023

27.03.2023