



WP (MD) No.19656 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.08.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP (MD) No.19656 of 2023

and

WMP (MD) No.16234 of 2023

S.Gomathi @ Chiriya Pushpam

... Petitioner

Vs

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Commissioner,
Tirunelveli City Municipal Corporation,
Tirunelveli City.

3.The Deputy Commissioner,
Melapalayam Zone,
Tirunelveli City Municipal Corporation,
Melapalayam,
Tirunelveli.

4.The Tahsildar,
Palayamkottai,
Palayamkottai,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a writ of mandamus directing the respondents to grant patta in the name of the petitioner's husband viz., Savariraj (Ex-NB.SUB(JC.151186M)



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for the allotment of land in S.No.568 in Melapalayam Village, Tirunelveli District on the basis of the representation dated 05.07.2023 within the time stipulated by this Court.

For petitioner : Mr.PM.Vishnuvarthanan
For Respondent : Ms.Farjana Ghousia,
Nos.1,3 & 4 Special Government Pleader
For Respondent : Mr.M.Anitha,
No.2 Standing Counsel

ORDER

The petitioner has submitted an application for issuance of patta for the property in S.No.568 of Melapalayam Village, Tirunelveli District and filed this writ petition for a mandamus to consider his representation dated 05.07.2023 within a stipulated time.

2.The learned Special Government Pleader appearing for the respondents 1, 3 and 4 based on the written instructions submits that the land in Survey No.568 to an extent of 0.12.63 hectare is recorded as Poovarasan Kulam in revenue records and therefore, there is no possibility to issue patta in respect of S.No.568 to the petitioner.



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3. However, the learned Counsel for the petitioner has disputed that the S.No.568 is not a water body.

4. The application of the petitioner is pending with the 4th respondent Tahsildar and so far no orders have been passed. Therefore, this writ petition is disposed of with a direction to the 4th respondent to take a decision on the petitioner's application on merits and pass appropriate in accordance with law orders after providing necessary opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently connected miscellaneous petition is closed.

29.08.2023

Internet: Yes / No
Index : Yes / No
NCC : Yes / No

dsk



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B.PUGALENDHI, J.

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