



WEB COPY



W.P.(MD)No.20555 of 2015

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2023

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

Writ Petition (MD) No.20555 of 2015
and MP(MD) No.1 of 2015

A.Radhakrishnan

.... Petitioner

-Vs-

1.The District Collector
Thanjavur District, Thanjavur.

2.The District Revenue Officer
Thanjavur.

3.The Revenue Divisional Officer
Kumbakonam, Thanjavur Taluk.

4.The Thasildar
Papanasam Taluk Office
Papanasam, Thanjavur District.

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus forbearing the respondent from taking over the lands in East Kovil Pathu village in Survey No.439/7A for giving free house site patta to the houseless people.

For Petitioner : Mr. G.Gomathi Sankar
For Respondents : Mr. N.Ga.Nataraj
Government Advocate - for RR 1 to 4



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ORDER

Heard the learned counsel on either side.

2. It is beyond dispute that S.No.439/7A, Keezhakovilpatthu Village has been classified as Natham. Obviously such lands cannot vest with the Government. The petitioner has enclosed sale deeds dated 30.12.1985, 27.02.1986 and 27.02.1986 indicating that 50 cents in the said survey number have been purchased by the petitioner's brother Kalyanasundaram. The said Kalyanasundaram had also filed an application before the Settlement Tahsildar for issuance of Natham Patta. This writ petition came to be filed in order to restrain the authorities from taking over the lands and distributing the same in favour of landless poor.

3. The learned Government Advocate appearing for the respondents informs the Court that the authorities have not issued any free house site patta in favour of third party.

4. Since it is seen that the petition mentioned lands have been classified as Natham and it is also the subject matter of sale transactions involving the petitioner's family, the respondents are restrained from taking over the same. It is for the petitioner to move the competent authority for obtaining Natham Patta.



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5. The writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

23.08.2023

Index : Yes/No
Internet : Yes/No
KST

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G.R.SWAMINATHAN, J.

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