



W.P.(MD)No.8182 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 01.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.8182 of 2016

Tiruchirappalli Co-operative House,
Construction Society Ltd.No.R 786,
represented through its Secretary,
M.Karmegham,
S/o.Marnadu,
Office at, Makkal Mandram,
Main Road, Thillainagar,
Tiruchirappalli-620 018.

... Petitioner

versus

- 1.The District Collector,
Trichy District.
- 2.The Revenue Divisional Officer,
Trichy.
- 3.The Tahsildar,
Trichy West,
Trichy.
- 4.The Commissioner,
Municipal Corporation,
Trichy.



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5.K.Mathina Begam

6.A.Kalilur Rehman

7.Muthukani

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, directing the third respondent to conduct the enquiry in connection with issuance of patta in the name of Tiruchirappalli Co-operative House Construction Society Ltd.No.R786, on the basis of the petitioner's representation dated 28.03.2016 at the earliest.

For Petitioner	: Mr.P.Ganapathi Subramanian
For R1 to R3	: Mr.T.Vilavan Kothai Additional Government Pleader
For R4	: Mr.R.B. Associates
For R5 to R7	: No appearance

ORDER

This writ petition is filed for a Mandamus directing the respondents to conduct an enquiry in connection with the issuance of patta in the name of Tiruchirappalli Co-operative House Construction Society Ltd.No.R786, on the basis of the petitioner's representation dated 28.03.2016 at the earliest.



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2.The learned counsel for the petitioner society submits that the petitioner's society has purchased the property in the year 1973 and after obtaining the layout permission from the Director of Town and Country Planning in the year 1974, the property was divided into 542 housing plots and the society has sold these housing plots to the members of the society. He further submits that after the sale of approved housing plots, the remaining unsold lands are still in the name of the vendor. In order to identify the property, to survey the land and to obtain patta, the petitioner has submitted a representation to the 3rd respondent on 28.03.2016. Since it has not been considered, the present writ petition is filed.

3.This writ petition is pending from the year 2016 and this Court by order dated 28.02.2017 ordered notice to the respondents.

4.The learned Additional Government Pleader appearing for the respondents 1 to 3 based on the written instructions received from the District Collector, Trichy has submitted that the the petitioner is asking for patta for the area which are assigned for the public usage in the layout



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approval such as Public Office, Community Centre, Temple, School, Play Ground etc. Therefore, he seeks further time to get instruction as to whether these lands come under the salable category.

5. This court considered the rival submissions made and perused the materials placed in records.

6. The petitioner society is asking for a patta to the lands which were earmarked for public usage during the layout approval in the year 1974. Since these lands are provided by the petitioner society for public usage, the petitioner society is not entitled to seek any relief as prayed for. Therefore, this writ petition is dismissed, No costs.

01.03.2023

tta

NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.



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B.PUGALENDHI, J.

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