



W.P(MD)No.29306 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 12.12.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.29306 of 2023

and

W.M.P(MD)Nos.25322 & 25323 of 2023

M.Muthulakshmi

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram District,
Ramanathapuram.

2.The Sub Collector,
Paramakudi,
Ramanathapuram District.

3.The Tahsildar,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records of the impugned order of the second respondent in O.Mu./A4/7240/2023 dated 24.08.2023 and the consequential impugned order of the third respondent in O.Mu.(P4)/7993/2023 dated 06.11.2023



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and quash the same as illegal and consequently directing the respondents to grant patta to the petitioner for the property measuring an extent of 5 Cents in Survey No. 201/7B, Kallikudi Group, Parthippanur Firka, Paramakudi Taluk, Ramanathapuram District within the time stipulated by this Court.

For Petitioner : Mr.M.Kannan

For Respondents : Mr.S.RA.Ramachandran
Additional Government Pleader

ORDER

Heard both sides.

2.The petitioner is a widow. She applied for issuance of patta. The petitioner's request was rejected on the ground that she is residing in Survey No.202.

3.When the matter was taken up for hearing, the learned Additional Government Pleader produced copy of the A-Registrar extract. It is seen that Survey No.202, Kallikudi Village has been shown as water body. Therefore, the question of granting patta for Survey No.202 does not arise at all. The impugned order is sustained to that extent. But then, the



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case of the petitioner is otherwise. The petitioner categorically asserts that she is not residing in Survey No.202. She is residing only in a portion of Survey No.201/17B. It is seen that a portion of Survey No. 201/17 has been earmarked for building Hostel for Adi Dravidar students. The petitioner would state that the entire extent has not been earmarked and that a small portion has been left as unassessed. The petitioner's case is that she is residing only in that portion.

4.Even while sustaining the impugned order, I direct the third respondent to conduct survey in the presence of the writ petitioner. The petitioner is said to have put up a house and residing therein. If that be so, a report shall be submitted to the first respondent after conducting such survey. Survey shall be conducted on **06.01.2024 at 10.00 a.m.** If the petitioner is residing in a portion of Survey No.201/17B and if it is outside the portion earmarked for Adi Dravidar Students Hostel, a favourable proposal can be sent by the third respondent and appropriate order shall be passed in favour of the petitioner. The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.



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5.This writ petition is disposed of accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

12.12.2023

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

To

- 1.The District Collector,
Ramanathapuram District,
Ramanathapuram.
- 2.The Sub Collector,
Paramakudi,
Ramanathapuram District.
- 3.The Tahsildar,
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G.R.SWAMINATHAN, J.

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