



W.P.No.3235 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2024

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.No.3235 of 2024

A.Annammal

... Petitioner

versus

- 1.The Secretary,
Revenue Department,
Secretariat,
Fort St.George, Chennai – 600 009.
- 2.The District Collector,
Collectors Office,
Coimbatore – 641 018.
- 3.The District Revenue Officer,
DRO Office,
1st Floor – Collectors Office,
Coimbatore – 641 018.



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4.The Revenue Divisional Officer,
RDO Office,
No.50, Venkateshwara Nagar,
Koundampalayam,
Coimbatore – 641 030.

5.The Thasildar,
Thasildar Office,
Sathy Main Road,
Annur, Coimbatore District – 641 037.

6.The Village Administrative Officer,
Andakapalayam Village,
Vellainanipatti Panchayat,
Coimbatore District -641 048.

7.Anathanayagi

... Respondents

Writ Petition filed under Article 226 of Constitution of India, praying to issue a Writ of Mandamus directing the respondents 1 to 6 to conduct an enquiry based on the petitioner's representations dated 11.11.2022, 25.11.2022 and 05.02.2024 and cancel the Patta issued vide proceedings in Na.Ka.No.23412/1990-A6, Patta bearing No.HSD No.318/1400, Block No.136/2, house site to an extent of 3000 sq.ft, Andakapalayam Village, Vellanaipatti Panchayat, Coimbatore District in favour of the 7th respondent.



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For Petitioner : Mr.P.R.Balasubramanian
For Respondents : Mr.T.Arun Kumar
Additional Government Pleader
for R1 to R6

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ORDER

Mr.T.Arun Kumar, learned Additional Government Pleader accepts notice for respondents 1 to 6. Since this writ petition is being disposed of without passing any adverse orders against the 7th respondent, affecting her interest, notice to the 7th respondent is dispensed with.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing respondents 1 to 6 to conduct enquiry based on the petitioner's representations dated 11.11.2022, 25.11.2022 and 05.02.2024, respectively and cancel the House site Patta issued vide proceedings in Na.Ka.No.23412/1990-A6, in Patta bearing No.HSD No.318/1400, Block



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No.136/2, measuring an extent of 3000 sq.ft, situated at Andakapalayam Village, Vellanaipatti Panchayat, Coimbatore District in favour of the seventh respondent.

3. The case of the petitioner is that the property in S.F.No.136/2, Andakapalayam Village, Vellanaipatti Panchayat, Coimbatore District, measuring an extent of 5648 sq.ft is owned by the petitioner by virtue of registered Settlement Deed dated 19.01.2010 executed by her husband A.K.A.Rumugam. While so, the seventh respondent, suppressing the petitioner's possession and enjoyment of the said property, had colluded with the fifth respondent herein and obtained House Patta in a portion of the subject property. While allotting House Patta though certain conditions were implied, the seventh respondent has not complied with the same.



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4. It is the further case of the petitioner that the seventh respondent suppressing her economical status and by influencing the officials obtained HSD Patta. Therefore, the petitioner has given representations to the respondents seeking for cancellation of HSD Patta issued in favour of the seventh respondent. Since there was no response from the respondents till date, the present writ petition has been filed.

5. Heard both sides and perused the materials available on record.

6. It is seen that the petitioner himself admits in the affidavit filed in support of this petition that the subject land was assigned to the seventh respondent with certain conditions under HSD Patta (Housing Scheme Development Patta). Therefore, unless the Government cancels the assignment and allot the same to the eligible beneficiaries, the petitioner is not entitled to get the relief as sought for in this writ petition.



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7. In view of the above, the writ petition is dismissed. However, there

shall be no order as to costs.

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Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

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