



W.P. No.4424 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.4424 of 2024

P.Bhuvana

... Petitioner

Vs.

1. The District Collector
Chengalpattu District, Chengalpattu

2. The Sub Collector
Chengalpattu, Chengalpattu District

3. The Tahsildar
Thiruporur Taluk, Thiruporur
Chengalpattu District

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 3rd respondent to issue Patta in respect of the house (hut) situated in S.No.177-D/1B1A1 and 177-D/87, No.43, Thandarai Village, Thiruporur Taluk, Chengalpattu District to the extent of 7 cents to the petitioner by implementing the order passed by the 2nd respondent in his proceedings Na.Ka.No.1535/2023/Aa3, dated 13.01.2024.



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For Petitioner : Mr.C.Prakasam

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 3rd respondent to issue Patta in respect of the house (hut) situated in S.No.177-D/1B1A1 and 177-D/87, No.43, Thandarai Village, Thiruporur Taluk, Chengalpattu District to the extent of 7 cents to the petitioner by implementing the order passed by the 2nd respondent in his proceedings Na.Ka.No.1535/2023/Aa3, dated 13.01.2024.

2. The case of the petitioner is that the petitioner's family is residing in the subject land from the petitioner's ancestor's period. The said land was previously classified as Government Poramboke land. The petitioner made a representation to get Patta and subsequently, the 1st respondent passed order for re-classification of the said land as Natham from Government Poramboke Land. Thereafter, after visiting the petitioner's hut



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and calling for objection from the public, the 1st respondent issued orders

whereby, directed the 3rd respondent to take necessary action for issuance of Patta in favour of the petitioner by uploading in the computer and also sent a communication to the 2nd respondent. Subsequently, the 2nd respondent issued orders in his proceedings in Na.Ka.No.1535/2023/Aa3, dated 13.01.2024 directing the 3rd respondent to issue in favour of the petitioner. However, the 3rd respondent has not implemented the said order and dragging on the matter for issuance of Patta. Meanwhile, the subordinate officials of the Revenue Department have been threatening the petitioner and insisting her to vacate the said hut. Hence, the present Writ Petition is filed.

3. Mr.A.Selvendran, learned Special Government Pleader who takes notice for the respondents submitted that the 2nd respondent has made recommendation only for 0.01.0 Ares which is equal to 25 cents. But in this petition, the petitioner seeks the relief of Mandamus for issuance of Patta for more than 7 cents which is against the recommendation of the 2nd



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respondent. Therefore, this Court may issue directions with a limited extent of 0.01.0 Ares.

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

5. Admittedly, based on the representation of the petitioner, the 1st respondent has converted the classification of the subject matter of land from Government Poramboke to Natham and directed the 2nd and 3rd respondents to take necessary action for issuance of Patta and uploading the same in the computer. Subsequently, the 2nd respondent has made a recommendation to the 3rd respondent. However, the same has not been considered so far.

6. Therefore, the 3rd respondent is directed to take action on the recommendation of the 2nd respondent and grant patta in favour of the petitioner if the petitioner is otherwise eligible that too only for 0.01.0 Ares as recommended by the 2nd respondent vide proceedings Na.Ka.No.1535/2023/Aa3, dated 13.01.2024.



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7. With the above directions, this Writ Petition is disposed of at the

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admission stage itself. 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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P.VELMURUGAN. J.

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