



W.P. No.8088 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.8088 of 2024 and

W.M.P.No.9035 of 2024

- 1.V.Mariyammal
2. Chanammal
- 3.K.Chinnammal
- 4.V.Vimala
- 5.Palaniyammal
- 6.S.Tamilarasi
- 7.Shammundiswari
- 8.C.Manjula
- 9.S.Anjala

... Petitioners

Vs.

- 1.The District Collector
Dharmapuri & District
2. The District Revenue Officer
Dharmapuri - 636 705
3. Revenue Divisional Officer
Harur TK., Dharmapuri D.T.,
4. The Tahsildar
Harur TK., Dharmapuri D.T.,



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5. The Surveyor

Survey Department

Harur TK., Dharmapuri D.T.,

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to demarcate and survey the free house site patta granted in favour of the petitioners at Survey No.12/1, Idlapatti Village, Mampatti Post, Harur Taluk and Dharmapuri District, by considering the representations dated 16.05.2022, 21.12.2022 and 23.06.2023.

For Petitioner : Mr.T.Panchatsaram

For Respondents : Mr.A.Selvendran

Special Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the respondents to demarcate and survey the free house site patta granted in favour of the petitioners at Survey No.12/1, Idlapatti Village, Mampatti Post, Harur Taluk and Dharmapuri District, by considering the representations dated 16.05.2022, 21.12.2022 and 23.06.2023.

2. The case of the petitioners is that the above said property is a Poramboke land and the petitioners and others were in peaceful possession



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and occupation of the said land for many years. Thereafter, the petitioners

applied for free house site Patta. The same was considered only after the directions of this Court, made in W.P.No.25988 of 2014 dated 24.09.2014 and as per the Revenue Standing Order RSO No.21, free house site Patta were granted. However, till date, the respondents have not surveyed the house sites by metes and bounds despite several representations made by the petitioners. Hence the present Writ Petition is filed.

3. Mr.A.Selvendran, learned Special Government Pleader takes notice for the respondents.

4. Having regard to the submissions made by the learned counsel on either side and since the Writ Petition is filed seeking a simple Writ of Mandamus, this Court without expressing any opinion with regard to the merits of the case, directs the respondent concerned to consider the petitioners' representations dated 16.05.2022, 21.12.2022 and 23.06.2023. and issue notice to the petitioners, adjacent land owners of the four boundaries of the subject property, interested parties/rival



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claimants/aggrieved parties/objectors if any, as the case may be and

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conduct enquiry in the manner known to law and pass orders on merits and in accordance with law. After conducting enquiry, if the respondents come to the conclusion that there is encroachment in the land assigned to the petitioners, the respondents shall evict them and hand over the free house site Patta, after demarcating and ear marking the boundaries, to the petitioners. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of at the admission stage itself. There shall be no order as to costs.

6. The connected Miscellaneous Petition is ordered subject to payment of separate Court fee by each of the petitioners.

27.03.2024

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No



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To

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Dharmapuri District, Dharmapuri
2. The District Revenue Officer
Dharmapuri District, Dharmapuri
3. The Revenue Divisional Officer
Harur Revenue Division, Dharmapuri District
4. The Tahsildar
Pappireddipatti Tauk, Dharmapuri District
5. The Taluk Surveyor
Pappireddipatti Taluk, Dharmapuri District



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P.VELMURUGAN. J.

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