



WEB COPY



WP.No.13758 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **06.06.2024**

CORAM

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.13758 of 2024

Saraswathi

.. Petitioner

Versus

1. The District Collector,
O/o. The District Collector, Tiruppur District.
2. The Revenue Divisional officer,
O/o. The Revenue Divisional officer, Tiruppur District.
3. The Tahsildar,
Office of the Kangayam Taluk Office, Tiruppur District.
4. The Revenue Inspector,
O/o.the Revenue Inspector, Vellakoil, Tiruppur District.
5. The Village Administrative Officer,
Velampalayam, Kangayam Taluk, Tiruppur District. .. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to issue the fresh Patta in respect of the petitioner's house property measuring an extent of 0.00.73 Ares i.e. 1.80 Cents comprising in Re-Survey No.234 / 15 and present Survey No.234/26 situated at Velampalayam Village, Kangayam Taluk, Tiruppur District, INSTEAD of the Chitta issued by the 3rd Respondent on 12.12.2023 an extent of 0.00.50 Ares i.e., 1.23578 Cents comprising in Survey



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No 234/26 situated at Velampalayam Village, Kangayam Taluk, Tiruppur District based on the 4th and 5th respondents reports dated 13.09.2021 and the proceedings of the 3rd Respondent order vide Na.Ka.No. 4646 / 2021/ A6 dated 01.12.2022 within the time stipulated by this Court.

For Petitioner : Mr.Shakul Hameed

For Respondents : Mr.A.Selvendran,
Special Government Pleader

ORDER

With the consent of both sides, this Writ Petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed to direct the respondents to issue the fresh Patta in respect of the petitioner's house property measuring an extent of 0.00.73 Ares i.e. 1.80 Cents comprising in Re-Survey No.234 / 15 and present Survey No.234/26 situated at Velampalayam Village, Kangayam Taluk, Tiruppur District, INSTEAD of the Chitta issued by the 3rd Respondent on 12.12.2023 an extent of 0.00.50 Ares i.e., 1.23578 based on the reports of the fourth and fifth respondents dated 13.09.2021 and the proceedings of the third respondent order vide Na.Ka.No. 4646 / 2021/ A6 dated 01.12.2022 within the



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time stipulated by this Court.

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3. Heard learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

4. The case of the petitioner is that she is living in the subject property since 1995 and constructed a house and living with her family and she is paying house tax and she is having electricity connection in her house property to an extent of 0.00.73 Ares i.e., 1.80 cents. However, patta has been erroneously cancelled and thereafter, on the enquiry conducted by the fourth and fifth respondents, they recommended to the second respondent for issuance of patta to the petitioner. While so, the third respondent issued a patta to the petitioner only to an extent of 0.00.50 ares i.e., 1.23578 cents. In this regard the petitioner has made a representation to the respondents on 02.09.2023 is issue of fresh patta for the original extent of 0.00.73 Ares i.e., 1.80 cents for which patta has been issued. But the same has not been considered by the respondents till date. Hence, the present Writ Petition.

5. Considering the limited prayer sought for by the writ petition,



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without going into the merits of the case, the respondents are directed to consider the representation of the petitioner dated 02.09.2023 and issue fresh patta to the petitioner according to the extent in which she is actually in possession. Such an exercise shall be done within a period of three months from the date of receipt of a copy of this Order.

6. With the above direction, this writ petition is disposed of. No costs.

06.06.2024

vrc

Index : Yes/No
Internet : Yes/No
Neutral Citation : Yes/No

To,

1. The District Collector,
O/o. The District Collector, Tiruppur District.
2. The Revenue Divisional officer,
O/o. The Revenue Divisional officer, Tiruppur District.
3. The Tahsildar,
Office of the Kangayam Taluk Office, Tiruppur District.
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O/o.the Revenue Inspector, Vellakoil, Tiruppur District.
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N. SATHISH KUMAR, J.

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