



W.P.No.29162 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.29162 of 2024
and W.M.P.No.31843 of 2024

M.Divyabharathi

... Petitioner

VS.

1.The District Collector
Office of Collectorate
Salem District

2.The Revenue Divisional Officer
Office of Revenue Divisional Officer
Attur Town and Taluk
Salem District-636 102

3.The Special Tahsildar
Office of the Adidraavidar Welfare
Office of the Tahsildar
Attur Taluk
Salem District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, forbearing the respondents authorities from cancelling the patta issued in favour of the petitioner by way of proceedings dated 20.02.2024 in Na.Ka.No.60/2024 property in house site No.52 in Survey numbers 218/5A, 220/2B, 363/3 in Ward No.15 to an



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extent of about 2 cents, comes within the limits of Narasingapuram Municipality, Attur Taluk, Salem District without following due process of law by considering the petitioner's representation dated 21.08.2024.

For Petitioner : Mr.A.Rajakumar

For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

By consent of both the learned counsel appearing for the petitioner as well as respondents, this writ petition is disposed of at the admission stage itself.

2. The petitioner herein seeks a direction to the respondents not to cancel the patta issued in her favour by Proceedings dated 20.02.2024 in Na.Ka.No.60/2024 in respect of House Site No.52 situated in Survey Nos. 218/5A, 220/2B, 363/3 in Ward No.15 to an extent of 2 cents, comes within the Municipal Limits of Narasingapuram Municipality, Attur Taluk, Salem District.

3. It is the case of the petitioner that the above mentioned house site



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was assigned in her favour by 3rd respondent by order dated 20.02.2024 under Adidravidar Welfare Scheme. The petitioner has been in possession and enjoyment of the house site from the date of assignment. It is further stated in the affidavit that the respondents attempted to interfere with petitioner's possession and informed the petitioner that the petitioner shall vacate the site and patta issued in his favour will be cancelled. The petitioner submitted a representation on 21.08.2024 requesting the respondents not to cancel the patta issued in her favour and the same has not been considered by the respondents till date. Hence, the petitioner is before this Court.

4. The learned counsel appearing for the petitioner submitted that the Assignment Patta issued in her favour by order dated 20.02.2024 shall not be cancelled by the respondents without following due process of law and the respondents are not entitled to disturb the possession of the petitioner except by due process of law.

5. Mr.A.Selvendran, learned Special Government Pleader, who is taking notice for the respondents would submit that the respondents would



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follow the procedure established by law and consider the representation of the petitioner dated 21.08.2024 in the manner known to law.

6. In view of the same, without going into the merits of the claim made by the petitioner, this Court is inclined to direct the 1st respondent to consider the representation of the petitioner dated 21.08.2024 and pass final orders on its own merits and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order. Till final orders are passed on the representation of the petitioner, the possession of the petitioner shall not be disturbed except by due process of law.

7. With the above directions, the Writ Petition stands disposed of. No costs. Consequently, the connected writ miscellaneous petition is closed.

14.10.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
dm



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To

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S.SOUNTHAR, J.

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