



WEB COPY



W.P.No.31541 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.07.2024

CORAM :

THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.31541 of 2019

and

W.M.P.Nos.31762 and 31764 of 2019

- 1.Kanaka
- 2.Pavunesan
- 3.Madhammal
- 4.Sudha

... Petitioners

Vs.

- 1.The District Collector,
Dharmapuri District,
Dharmapuri.
- 2.The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.
- 3.The Tahsildhar,
Pennagaram Taluk,
Dharmapuri District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus directing the respondents to issue patta in favour of the petitioners based on the representation cum legal notice dated



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28.09.2018 and in the light of the communication by the 1st respondent dated 20.11.2018 to the 3rd respondent in respect of the property comprised in Survey Nos.1192/1, 1192/4, 1192/5 and 1192/6 situated at Koothapadi Village, Pennagaram Taluk, Dharmapuri District based on the possession and enjoyment of the respective petitioners in the respective extent forthwith.

For Petitioners : Mr.C.Prabakaran

For Respondents : Mr.K.Surendran
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioners and the learned Additional Government Pleader appearing for the respondents.

2. This is a petition filed by the petitioners seeking to direct the respondents to consider the legal notice dated 28.09.2018 and issue patta to them in the light of the communication issued by the first respondent dated 20.11.2018 to the third respondent in respect of the property comprised in S.Nos.1192/1, 1192/4, 1192/5 and 1192/6 situated at Koothapadi Village,



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Pennagaram Taluk, Dharmapuri District based on their possession and enjoyment in the respective extent.

3. It is the case of the petitioners that they are neighbors and are owning the subject lands for more than 70 years. The subject lands were classified as Podugal Poramboke. They constructed houses and obtained electricity service connection, water supply connection and gas connection and are paying house tax. Based on their continuous, long and uninterrupted possession and enjoyment of the subject lands, the husband of the first petitioner sent a representation dated 28.9.2018 to the first respondent to issue patta. The petitioners along with others also sent a legal notice dated 28.9.2018 to the first respondent and others seeking to issue patta. The said legal notice dated 28.9.2018 has been forwarded by the first respondent to the third respondent through a communication dated 20.11.2018 for appropriate action. However, nothing was forthcoming. Hence the writ petition.

4. Considering the limited nature of the prayer sought for and without expressing any opinion on the merits of this case, the writ petition is disposed of by directing the third respondent to consider the legal notice dated 28.9.2018



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on merits after giving notice to both the parties, opportunity of personal hearing, pass appropriate orders on merits and in accordance with law by observing the above principles of natural justice within a period of eight weeks from the date of receipt of a copy of this order. No costs. Consequently, connected writ miscellaneous petitions are closed.

15.07.2024

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation : Yes/No
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To

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Dharmapuri District,
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