



W.P.(MD) No.19184 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD).No.19184 of 2024

P.Durga Devi

.. Petitioner

Vs.

- 1.The Secretary,
Revenue Department,
Secretariat, Fort St.George,
Chennai-09.
- 2.The Commissioner,
Commissionerate of Land Survey and Settlement,
Chepauk,
Chennai-600 005.
- 3.The District Collector,
Collectorate,
Madurai District-625 001.
- 4.The District Revenue Officer,
Madurai District,
Madurai.
- 5.The Assistant Director,
The Collectorate,
District Land Survey Office,
Madurai District-20.



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6.The Revenue Divisional Officer,
Peraiyur Road, Usilampatti,
Madurai District.

7.The Tahsildar,
Pattalakundu Road,
Usilampatti,
Madurai District.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 1 to 6th respondents to implement the 7th respondent order in Na.Ka.No. 2813/2018/A1, dated 02.11.2022 and to issue a patta in Sr.No. 264 to the extent of 0.81.0 acre in favour of the petitioner situated at Doddappanaickanur Village, Usilampatti Taluk, Madurai District and to consider the petitioner's representation, dated 13.05.2024.

For Petitioner : Mr.Nagendra Prasath

For Respondents : Mr.P.Thambidurai
Government Advocate

ORDER

The petitioner seeks a Mandamus to the respondents 1 to 6 to implement the order passed by the 7th respondent on 02.11.2022 and consequently issue a patta in respect of Survey No.264 measuring to an extent of 0.81.0 acre situated in Doddappanaickanur Village, Usilampatti Taluk, Madurai and issue patta in favour of the petitioner by considering



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his representation, dated 13.05.2024.

2. It is the case of the petitioner that the aforesaid lands are Government Poramboke land which was in the possession and enjoyment of his parents as the kist has been paid in the name of his mother Selvarani by his father. The petitioner would submit that she is visually impaired and now she is cultivating the land and is entirely dependent on the income from the land. It is also a case that all the “A” Register records stand in the petitioner’s name. Therefore, she had made an application on 20.03.2018 for issuance of patta. The 7th respondent had directed the Village Administrative Officer to conduct an enquiry and submit a report. In 2019, the Village Administrative Officer along with the Revenue Inspector had inspected the land and recommended that the land cultivated was a Parai poramboke land. Therefore, the 7th respondent by communication, dated 27.12.2019 had requested the Assistant Director, Minerals and Mines Department, Madurai District whether he has any objection for the lands being handed over. On 06.03.2020, the Assistant Director had sent a reply stating he has no objection. The 7th



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respondent by an order dated 02.11.2022 recommending for the issuance of patta. However, to date, no further action has been taken and the representations have not been considered.

3. Taking note of the above facts and considering the fact that the original recommendation by the Village Administrative Officer and the Revenue Inspector had been given as early as in the year 2019, followed by the recommendation of the Assistant Director, Minerals and Mines Department on 06.03.2020, no steps thereafter have not been take. Hence, the respondents 1 to 6 are directed to give effect to the aforesaid representation and grant patta in favour of the petitioner in respect of the above mentioned lands after conducting an enquiry on the basis of the petitioner's representation, dated 13.05.2024.

4. Accordingly, this Writ Petition stands allowed. No costs.

09.08.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
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P.T.ASHA, J.

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