



W.P.(MD) No.19803 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.08.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.19803 of 2024

Backiyam

.. Petitioner

Vs.

1.The District Collector,
District Collector Campus,
Madurai-625 020.

2.The Tahsildar,
Mellur, Madurai.

3.The Village Administrative Officer,
Soorakkundu Village,
Mellur Taluk, Madurai.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the first and second respondents to issue Patta to petitioner in respect of Government Waste Land in which the petitioner's house is situated at 1/592, Soorakkundu Village, M.G.R. Nagar, Melur Taluk, Madurai, in Survey No.149, vide the representations dated 11.04.2007, 24.05.2022, and 09.08.2024.

For Petitioner : Mr.J.Imaran Khan



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For Respondents : Mr.D.S.Nedunchezian
Government Advocate

ORDER

A mandamus is sought for to issue direction to the respondents 1 and 2 to issue patta in respect of the Government Waste Land in which the petitioner has been in occupation for several decades.

2. It is the contention of the petitioner that she is living in the said property. She belongs to the marginalised section of the society and has been living in the property by putting up a house. However, she has not been granted patta and therefore, she had made a representation to the respondents to consider the same and issue her with a patta.

3. The learned Government Advocate would submit that the lands are classified as waterbody and patta cannot be granted.

4. Considering the fact that the petitioner has been permitted to reside in the said property by putting up construction, a direction is



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issued to the respondents to consider the representation of the petitioner, dated 09.08.2024 and pass orders on merits by following due process of law, after affording an opportunity of personal hearing to the petitioner. The said exercise shall be completed before 20.09.2024.

5. With the above direction, this Writ Petition stands allowed. No costs.

6. Post the matter 'for reporting compliance' on 20.09.2024.

20.08.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes
abr

To

- 1.The District Collector,
District Collector Campus,
Madurai-625 020.
- 2.The Tahsildar, Mellur, Madurai.
- 3.The Village Administrative Officer,
Soorakkundu Village, Mellur Taluk, Madurai.



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P.T.ASHA, J.

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