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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.22174 of 2024

P.Nagalakshmi .. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by its Secretary,
Adi Dravider Welfare Department,
Secretariate,
Chennai.

2.The District Collector,
Office of the Collectorate,
Ramanathapuram.

3.The District Adi-Dravidar Welfare Officer,
Office of the Collectorate,
Ramanathapuram.

4.The Sub-Collector,
Sub-Collector Office,
Paramakudi,
Ramanathapuram District.

5.The Special Tahsildar,
Adi Dravidar Welfare Department,

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Taluk Office,
Paramakudi,
Ramanathapuram District.

6.The Tahsildar,
Taluk Office,
Paramakudi Taluk,
Ramanathapuram District.

7.The Block Development Officer,
Block Development Office,
Nainarkovil,
Paramakudi Taluk,
Ramanathapuram District. .. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the 2nd and 6th respondents to consider the petitioner's representation dated 27.02.2024 and 29.08.2024 seeking to grant petitioner free house site assignment patta in the land comprised in S.No.252/2 situated at Nainarkovil Village, Vanniyavallam Group, Paramakudi Taluk, Ramanathapuram District, within a stipulated time that may be fixed by this Court.

For Petitioner : Mr.K.Saravanan
For Respondents : Mr.B.Saravanan
Additional Government Pleader

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ORDER

This writ petition is filed for a mandamus directing the second and sixth respondents to consider the petitioner's representations dated 27.02.2024 and 29.08.2024 seeking to grant free house site assignment patta in the land comprised in S.No.252/2 situated at Nainarkovil Village, Vanniyavallam Group, Paramakudi Taluk, Ramanathapuram District.

2.It is now brought to the notice of this Court by Mr.B.Saravanan, learned Additional Government Pleader that the original owner of the property viz., M.Thanigachallam, has filed a writ petition in W.P(MD)No.28379 of 2023 seeking construction of a Samathuvapuram in the property in respect of which, the petitioner now seek free house site patta and the same is pending before this Court.

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

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4.Taking into consideration the above submission, when the writ petition filed by the original owner is pending, it would not be worthwhile to direct the respondents to issue free house site patta. As in the event of the said Thanigachallam succeeding in the writ petition, the assignment to the petitioner would have to necessarily be set aside.

5.Therefore, taking into consideration the above facts, on the disposal of the writ petition in W.P(MD)No.28379 of 2023, the petitioner's application for free house site patta shall be considered by the respondents on proper basis, in the manner known to law.

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

19.09.2024

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