



W.P.(MD) No.24921 of 2016

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.08.2024

CORAM

THE HONOURABLE Ms.JUSTICE P.T.ASHA

**W.P.(MD) No.24921 of 2016
and
W.M.P.(MD) No.18018 of 2016**

Murugan

... Petitioner

/vs./

**1.The District Collector,
Virudhunagar District,
Virudhunagar.**

**2.The Tahsildar,
Sivakasi Taluk,
Sivakasi.**

**3.The Tahsildar,
Sathur Taluk,
Sathur.**

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records from the 2nd respondent dated 18.11.2015 in his proceedings in O. Mu.A2/19119/2015 and quash the same further directing the respondents to issue a duplicate copy of free



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house site patta to the petitioner in S.No. 287/5 in Door No.8/1017 which is situated at Anaiyur Village, Sivakasi Taluk, Virudhunagar District.

For Petitioner : Mr.A.Muthu Pandian

For Respondents : Mr.P.Thambidurai
Government Advocate

ORDER

The above writ petition has been filed for a Writ of Certiorarified Mandamus to quash the order passed by the second respondent dated 18.11.2015 in O. Mu.A2/19119/2015 and to direct the respondents to issue a duplicate copy of the free house site patta to the petitioner in respect of the land in S.No.287/5 in Door No.8/1017 situated at Anaiyur Village, Sivakasi Taluk, Virudhunagar District.

2.The petitioner's father, who had applied for a free house site patta in respect of an extent of 2 cents in S.No.287/5 (plot No.99) at Anaiyur Village, Sivakasi Taluk, had been provided the same as early as in the year 1992. On 12.04.2004, the original copy of the free house site patta was destroyed in a fire that had taken place in the tea shop, which is situate next to the petitioner's house.



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The petitioner's father had expired on 10.03.2009 and therefore, the petitioner had approached the first respondent on 03.01.2014 seeking issuance of the duplicate copy of this house site patta. The second respondent has replied on 07.03.2014 stating that no such free house site patta is available in his office.

3.The second respondent has simply brushed aside the request of the petitioner without even considering the fact that the petitioner has documents to show that he is in possession of the property. Considering the fact that the petitioner's property and the adjacent property are all Government lands, which must have been assigned to the landless poor, the records relating to this assignment would definitely be available with the respondents. The respondents have not demonstrated the empathy that is required of them.

4.Therefore, the Writ Petition stands allowed. The impugned order passed by the second respondent in O. Mu.A2/19119/2015 dated 18.11.2015 is hereby quashed. The respondents are directed to issue a duplicate copy of the free house site patta in respect of the land in S.No.287/5 in Door No.8/1017 at Anaiyur Village, Sivakasi Taluk, Virudhunagar District to the petitioner within a period of



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three weeks from the date of receipt of a copy of this order. No costs.

Consequently, connected Miscellaneous Petition is closed.

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

14.08.2024

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To

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Tahsildar,
Sivakasi Taluk,
Sivakasi.
- 3.The Tahsildar,
Sathur Taluk,
Sathur.



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P.T.ASHA, J.

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