



W.P.(MD)No.28085 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2024

CORAM:

THE HONOURABLE **MRS.JUSTICE N.MALA**

W.P.(MD)No.28085 of 2024

Tamilselvi

... Petitioner

/Vs./

1.The District Collector,
Pudukkottai,
Pudukkottai District.

2.The Revenue Divisional Officer,
Viralimalai Taluk,Iluppur,
Pudukkottai District.

3.The Tahsildar,
Viralimalai Taluk,
Pudukkottai,
Pudukkottai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the third respondent to issue free patta to the petitioner in respect of Survey No.74/2 situated at Viralimalai, Pudukkottai, Pudukkottai District on the basis of the petitioner's representation dated 09.11.2024 within the time stipulated by this Court.

For Petitioner : M/s. A.Tamilarasi

For Respondents : Mr.M.Muthumanikkam
Government Advocate Civil side



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ORDER

This Writ Petition is filed for issuance of Writ of Mandamus directing the third respondent to issue free patta to the petitionre in respect of Survey No.74/2 situated at Viralimalai, Pudukkottai, Pudukkottai District on the basis of the petitioner's representation dated 09.11.2024 within the stipulated by this Court.

2. The petitioner was in possession and enjoyment of the property in S.No.No.74/2 in Viralimalai, Pudukkottai, Pudukkottai District. The petitioner was also issued with 'D' memo from the concerned authorities in recognition of her possession. As no patta was issued to the petitioner, the petitioner sent a representation to the revenue officials to issue free patta. According to the petitioner, though S.No.74/2 to an extent of 0.38.5 hectares, was classified as Vandipathai Poramboke in the revenue records, the said vandipathai was not in use. In S.No.70 and in the four boundaries of S.No.74, a pucca thar road was laid by the Government. The petitioner therefore filed WP(MD)No.2590 of 2016 and this Court by order dated 05.02.2016, directed the respondents to pass appropriate orders on the basis of the petitioner's representation within a period of six



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weeks. According to the petitioner, though enquiry was conducted by the revenue officials, no order was passed till date, The petitioner therefore repeatedly sent representations. On 13.10.2024, the petitioner gave a representation to the first respondent and on 09.11.2024, the petitioner gave a representation to all the respondents. As no action was taken, the petitioner filed the above Writ Petition for the aforesaid relief.

3.The learned Government Advocate submits that there is a proposal to assign the land in subject survey number, which is classified as pathway Government poramboke.

4. Be that as it may, in view of the fact that this Court issued a direction to pass orders on the petitioner's representation dated 13.10.2024 within a period of six weeks, and as on date no order is passed, I am inclined to issue direction to the respondents. Accordingly, the respondents are directed to pass orders on the petitioner's representation dated 19.11.2024 within a period of four weeks from the date of receipt of a copy of this order.



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5. With the above direction, this Writ Petition is disposed of. No costs.

26.11.2024

Index : Yes / No
NCC : Yes / No
CM

TO:

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N.MALA, J.

CM

Order made in
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Dated:
26.11.2024