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1

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **12.12.2024**

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

W.P(MD)NO.29978 OF 2024

Meenakshi

: Petitioner

.VS.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Revenue Divisional Officer,
Devakkottai Taluk,
Devakkotai,
Sivagangai District.

3.The Tahsildar,
Karaikudi,
Sivagangai District.

4.The Revenue Inspector,
Pallathur,
Karaikudi Taluk,
Sivagangai District.

:Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the third respondent to issue a free House Site Patta to the Petitioner in respect of S.F.No.263/1A with an extent of 3 cents situated at Aavudai Poigai, Thiruvelangudi Village, Karaikudi Taluk, Sivagangai District by considering the Petitioner's representation, dated 16.11.2024 within the time fixed by this Court.



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2

For Petitioner :Mr.G.D.Manikandan

For Respondents :Mr.Muthumanikkam
1 to 4 Govt.Advocate

ORDER

The Petitioner has filed the above Writ Petition seeking issuance of a Writ of Mandamus directing the third respondent to issue a free House Site Patta to the Petitioner in respect of S.F.No. 263/1A with an extent of 3 cents situated at Aavudai Poigai, Thiruvelangudi Village, Karaikudi Taluk, Sivagangai District by considering the Petitioner's representation, dated 16.11.2024 within the time fixed by this Court.

2.Mr.M.Muthumanikkam, learned Government Advocate takes notice for the respondents 1 to 4. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The Petitioner states that S.F.No.263/1A measuring an extent of 0.45.72 ares in Thiruvelangudi Village, Karaikudi Taluk, Sivagangai District was classified as "Natham Poramboke". The Petitioner states that the Petitioner constructed a thatched shed in the year 1982. Whiles, the Petitioner submitted a representation, dated 25.09.2023 to the respondents to issue free



house site patta in his favour. The said representation was received on 09.10.2023 and the third respondent directed the fourth respondent to inspect the said land and to file a report to him. The fourth respondent inspite of the third respondent's communication, did not inspect the said land. Therefore, the Petitioner sent another representation on 16.11.2024 to the respondents to issue him free house site patta to an extent of 3 cents in S.NO.263/1A. But no action was taken and therefore, the Petitioner filed the above Writ Petition for the above said relief.

4.It is seen that the Petitioner gave his representation for grant of free house site patta as early as on 25.09.2023. Inspte of third respondent's communication to the fourth respondent to inspect the land and file a report to him, the fourth respondent did not take any action. Therefore, the Petitioner sent another representation on 16.11.2024. Even thereafter, no action has been taken.

5.The learned Government Advocate appearing for the respondents 1 to 4 submits that the subject S.No.263/1A is classified as "National Highways" and therefore, the request of the Petitioner for grant of free house site patta in the said survey number cannot be entertained.



6.I find some force in the submissions made by the learned Government Advocate. Therefore, I direct the Petitioner to submit a fresh representation to the respondents for issuance of free house site patta in any other place. The representation shall be submitted by the Petitioner within a period of two weeks from the date of receipt of a copy of this order. The second respondent shall consider the same on merits and in accordance with law within a period of eight weeks thereafter.

7.The Writ Petition is disposed of accordingly. No costs.

12.12.2024

NSC :Yes/No
Index:Yes/No
Internet:Yes/No

vsn

To

- 1.The District Collector,
Sivagangai,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Devakkottai Taluk,
Devakkotai,
Sivagangai District.
- 3.The Tahsildar,
Karaikudi,
Sivagangai District.



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4. The Revenue Inspector,
Pallathur,
Karaikudi Taluk,
Sivagangai District.



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6

M.MALA, J.

vsn

ORDER MADE IN
W.P(MD)NO.29979 of 2024

12.12.2024