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W.P.(MD)No.2748 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2025

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.2748 of 2025

V.Sudalaimani

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Tirunelveli,
Tirunelveli District.

2. The Tahsildar,
Taluk Office,
Palayamkottai,
Tirunelveli District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 03.01.2025 and issue a certified copy of the patta for the house site allotted too the petitioner in Plot No.14, S.No.188, Palayamkottai Taluk, Tirunelveli District, within a stipulated time as may be fixed by this Court.

For Petitioner : Mr.Y.Prakash

For Respondents : Mr.A.Kannan

Additional Government Pleader

ORDER

The writ petition is filed for a writ of mandamus directing the respondents to consider the representation of the petitioner dated 03.01.2025 and issue a certified copy of the patta for the house site allotted to the petitioner in Plot No.



W.P.(MD)No.2748 of 2025

14, S.No.188, Palayamkottai Taluk, Tirunelveli District, within a time frame to be fixed by this Court.

2. With consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner was allotted the subject property as a free house site under the Government's free housing scheme for economically weaker section of the society. The petitioner immediately after allotment of the house site constructed a mud-tiled house within six months. In compliance of the terms and conditions of the allotment, the petitioner was in possession and enjoyment of the property. The petitioner's property was assessed to property tax in Property Tax No.647 and the petitioner paid the property taxes and possessed the receipts. Unfortunately, the petitioner misplaced the original patta document issued to the petitioner by the revenue authorities at the time of allotment. Despite the petitioner's best efforts, he could not trace the original patta. Therefore, he approached the revenue officials for issuance of certified copy of the patta. Since the petitioner's oral request was not yielded, the petitioner sent a representation on 03.01.2025. Even thereafter, no action was taken by the respondents. Hence, the petitioner filed the above writ petition for the aforesaid relief.



W.P.(MD)No.2748 of 2025

4. The learned Additional Government Pleader, on instructions, submitted that for the very same property, there are two rival claimants and therefore the respondents decided to conduct enquiry to find out whether there was any violation of the conditions of allotment. For the said purpose, the respondents proposed to conduct an enquiry. The learned Additional Government Pleader further submitted that reasonable time may be granted to the respondents to conduct enquiry and pass final orders.

5. In view of the submissions made by the learned Additional Government Pleader and in view of the fact that on the petitioner's representation steps have already been initiated, the respondents are directed to conduct an enquiry and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to state that the respondent shall give notice of enquiry to the petitioner and the rival claimants and thereafter pass final orders.

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

31.01.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
CM



W.P.(MD)No.2748 of 2025

To:
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Tirunelveli District.
2. The Tahsildar,
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W.P.(MD)No.2748 of 2025

N.MALA, J.

CM

W.P.(MD)No.2748 of 2025

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