



W.P.(MD) No.3697 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.(MD) No.3697 of 2023

M.Balasubramani

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Petitioner

Vs

1 The District Collector,
Dindigul District,
Dindigul.

2 The Revenue Divisional Officer,
Kodaikanal,
Dindigul District.

3 The Tahsildar,
Kodaikanal Taluk,
Dindigul District.

4 E.Kannan

5 Elangovan

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Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the respondents 1 to 3 to provide an alternative house site at Kodaikanal Town, Dindigul District, to



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the petitioner and his family members for their inhabitation, by considering the petitioner's representation, dated 20.01.2023.

For Petitioner : Mr.T.Lenin Kumar

For Respondents 1 to 3 : Mrs.K.Malathi,
Addl. Govt. Pleader.

For Respondent 4 : No appearance

For Respondent 5 : Mr.S.Vellaichamy

ORDER

The Writ Petition is filed, seeking a direction to respondents 1 to 3 to provide an alternative house site at Kodaikanal Town, Dindigul District, to the petitioner, by considering his representation, dated 20.01.2023.

2. According to the petitioner, they have been residing in the property situated in old Survey No.280/B2, new Survey No.7, at Kodaikanal Town, Dindigul District, for several years. The fifth respondent claimed right over the said property under certain documents. Respondents 4 and 5 also obtained patta in their name. Patta, issued in favour of the private respondents, was challenged by the petitioner, by submitting an application before the second respondent. The said application was rejected by the second respondent in his proceedings Mu.Mu.No.4518/2015/A2, dated 28.11.2022.



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Since the patta in favour of the private respondents was affirmed, the petitioner was made to vacate the said property. Therefore, the petitioner submitted an instant representation before the second respondent, seeking allotment of alternative house site, on 20.01.2023. The same has not been considered. Hence, the petitioner has come before this Court.

3. Admittedly, the petitioner was in occupation of land, in respect of which patta was issued in favour of the private respondents. The challenge made by the petitioner to the patta issued in favour of the private respondents was rejected by the second respondent. The said order has not been challenged in the manner known to law. Under these circumstances, the petitioner is not entitled to seek allotment of alternative house site. Therefore, this Court is not inclined to entertain the Writ Petition, seeking a direction to issue alternative house site to the petitioner. If the petitioner is landless poor and entitled to free house site patta under the said category, it is always open to him to submit appropriate representation before the first respondent on that ground.

4. With the above clarification, the Writ Petition stands dismissed. No costs. Consequently, the connected W.M.P.(MD) No.3483 of 2023 is closed.

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

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To:

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S.SOUNTHAR, J.

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