



W.P.(MD) No.6065 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.6065 of 2025
and
W.M.P(MD)No.4452 of 2025

Lakshmi

... Petitioner

vs.

1.The District Revenue Officer,
Madurai District, Madurai.

2.The Tahsildhar,
Madurai North Taluk,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.29395/2021/J3, dated 13.01.2025 passed by the first respondent insofar as it pertains to the petitioner and quash the same as illegal, consequently, direct the respondents to restore the patta in the name of the petitioner in respect of the house site comprised in S.No.43/10, admeasuring 0.01.23 sq.mtr situated at Alathur Village, Madurai North Taluk, Madurai District, within a time frame stipulated by this Court.



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For Petitioner : Mr.K.Anbuchelvam

For Respondents : Mr.S.Kameswaran
Government Advocate

ORDER

Considering the limited scope of the relief sought for in the writ petition, with the consent of the learned counsel on either side, the writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner challenges the impugned order passed by the first respondent in Na.Ka.No.29395/2021/J3, dated 13.01.2025 and to consequently, direct the respondents to restore patta in the name of the petitioner in respect of the house site comprised in S.No.43/10, admeasuring 0.01.23 sq.mtr at Alathur Village, Madurai North Taluk, Madurai District.

3.The learned counsel for the petitioner would submit that the petitioner's free house site patta was cancelled on 13.01.2025 for alleged violation of the conditions of allotment.



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4. Though the learned counsel for the petitioner would contend that no opportunity was given to the petitioner, the learned Government Advocate appearing for the official respondents would submit that the show cause notice was infact issued to the petitioner and the petitioner did not come forward to attend the enquiry and furnish the relevant documents and only in view of the same, the respondents were constrained to cancel the house site patta.

5. The learned counsel for the petitioner would invite my attention to my order dated 10.02.2025 in W.P(MD)No.3624 of 2025, where, in identical circumstances, an order came to be passed, directing the first respondent to reconsider the decision, on sympathetic grounds.

6. The learned Government Advocate would also affirm the factum of the said order having been passed in similar circumstances, excepting for stating that it is incorrect to contend that no opportunity was given to the petitioner.

7. In view of the above, this Writ Petition is allowed on the same lines on W.P(MD)No.3624 of 2025 was also allowed, setting aside the impugned order in



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Na.Ka.No.29395/2021/J3, dated 13.01.2025. The first respondent shall reconsider the petitioner's request for revoking the cancellation of the free house site patta, taking into account the reasons assigned for non-compliance of the conditions. The first respondent shall afford an opportunity of hearing to the petitioner to produce all relevant documents in support of her reasons for not putting up construction within the required time lines and after taking into account all factors, the first respondent shall pass orders, keeping in mind the laudable object of issuance of free house site patta to people from weaker sections of society. The said exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

06.03.2025

sjj

NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

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Madurai District, Madurai.



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2.The Tahsildhar,
Madurai North Taluk,
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P.B.BALAJI, J.

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