



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2025

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P(MD)No.18080 of 2022
and
W.M.P(MD)No.113186 of 2022

Nisha Fathima

... Petitioner

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Officer,
Melur at Narasingampatti,
Madurai District.

3.The Tahsildar,
Madurai East Taluk,
Madurai.

4.The Tahsildar,
Madurai North Taluk,
Madurai.

5.Gnanamuthu

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, to issue a writ of Mandamus, forbearing the respondents 1 to 5 from disturbing the Petitioner's peaceful possession and enjoyment of the land to an extent of 1 cent and 800 sq.ft in S.No. 43/5 of Sakkimangalam II Bit, Madurai.



For Petitioner : Mr.S.Sukumar

For RR – 1 to 4 : Mr.D.Gandhiraj
Special Govt.Pleader

For RR – 5 :Mr.C.Susikumar

ORDER

This Writ Petition has been filed for a direction, forbearing the respondents 1 to 5 from disturbing the Petitioner's peaceful possession and enjoyment of the land to an extent of 1 cent and 800 sq.ft in S.No.43/5 of Sakkimangalam II Bit, Madurai.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The Petitioner submitted an application for issuance of patta in Manaivari Thoraya Patta Scheme and he was issued with patta in Patta No.714 for the aforesaid property. Now the Petitioner apprehends that the official respondents are taking steps to dispossess the Petitioner from the subject property on the ground that a writ petition was filed in W.P(MD)No.19148 of 2019 challenging the patta issued in favour of the Petitioner stating that the Petitioner is not eligible for issuance of free house site patta. In that Writ Petition, the third respondent issued patta in favour of the



fifth respondent, since he was selected as one of the beneficiary.

However, the patta issued in favour of the Petitioner was not cancelled.

4.The learned Special Government Pleader appearing for the respondents 1 to 4, on instructions, submitted that on verification of patta No.714 would reveal that the property comprised in S.No. 47/207 measuring an extent of 0.01.20 sq.mtr belongs to one Bala, wife of Sankar and she was issued with patta. It was not issued in favour of the Petitioner. Further the said Bala constructed a house and she is residing there. That apart, the Petitioner was not issued with any patta under any scheme. In respect of the property in S.No.43/5 measuring an extent of 0.060.0 sq.mtr patta was issued in patta No.714 in favour of the Petitioner and it is classified as Natham. On verification of revenue records, it would reveal that the property comprised in S.No.43/5 measuring an extent of 16.22.80 hectare is a large extent and as such, issuance of patta in favour of the Petitioner for such a large extent is not possible and therefore, the patta produced by the Petitioner is fabricated one and he was never issued with patta in Patta No.714 and as such the Writ Petition is devoid of merits and the same is liable to be dismissed.



5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

20.01.2025

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

To

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G.K.ILANTHIRAIYAN, J.

vsn

Order made in

W.P(MD)No.18080 of 2022
and
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