



W.P.(MD)No.25492 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.02.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.25492 of 2023

and

W.M.P(MD)No.21664 of 2023

Tmt.Vasantha

.... Petitioner

/Vs./

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Revenue Divisional Officer,
Virudhunagar Taluk,
Virudhunagar.

3.The Tahsildar,
Virudhunagar Taluk,
Virudhunagar.

4.Thiru.Vijayaragavan

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the third respondent impugned order in Na.Ka.Aa.1/996/2023 dated 17.03.2023 and quash the same and consequently, to direct the third



W.P.(MD)No.25492 of 2023

WEB COPY

respondent to cancel the free house site patta issued in favour of the fourth respondent in Nee.Mu.Aa.1/6393/2021 dated 20.01.2022 and to direct the respondents to reevaluate the allocation of the free patta to the fourth respondent, following the relevant government policies and guidelines as per Revenue Standing Order No.21.

For Petitioner : Mrs.S.Mahalakshmi
For R1 to R3 : Mr.C.Satheesh
Government Advocate
For R4 : Mr.S.Ramasamy

ORDER

The writ petition has been filed challenging the impugned order of the third respondent in Na.Ka.Aa1/996/2023, dated 17.03.2023 and consequently, direct the respondents to cancel the free house site patta issued in favour of the fourth respondent by proceedings dated 20.01.2022.

2. I have heard the learned counsel appearing for the petitioner and Mr.M.Sidharthan, learned Additional Government Pleader appearing for the respondents 1 to 3.



W.P.(MD)No.25492 of 2023

WEB COPY

3. The case of the petitioner is that the fourth respondent is not a landless person entitled to grant of free house site patta. Further, according to the petitioner, the third respondent was not even competent to issue the free house site patta. The value of which was in excess of Rs. 30,000/- and therefore, on this limited ground, the impugned order sought to be set aside.

4. The learned Government Advocate appearing for the respondents 1 to 3 would fairly submit that patta was issued by the third respondent without having jurisdiction in respect of the subject property value of which was certainly excess of more than Rs.30,000.

5. Therefore, without going into the other contentions of the writ petitioner, on the ground of lack of jurisdiction alone, the impugned order is liable to be set aside and consequently patta issued to the fourth respondent also has to necessarily go. However, this order will not stand in the way of the fourth respondent approaching the competent authority namely the second respondent for issuance of free house site patta, if he is entitled as per law.



W.P.(MD)No.25492 of 2023

WEB COPY

6. With the above direction, the writ petition is allowed. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes / No
NCC : Yes / No
am

20.02.2025

To

- 1.The District Collector,
Virudhunagar District,
Virudhunagar.
- 2.The Revenue Divisional Officer,
Virudhunagar Taluk,
Virudhunagar.
- 3.The Tahsildar,
Virudhunagar Taluk,
Virudhunagar.



WEB COPY



W.P.(MD)No.25492 of 2023

P.B. BALAJI, J.

am

Order made in
W.P.(MD)No.25492 of 2023

Dated:
20.02.2025