



W.P.(MD)No.29712 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 25.03.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

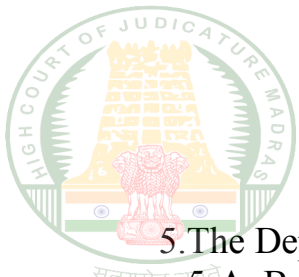
W.P.(MD)No.29712 of 2024

K.Damayanthi

... Petitioner

Vs.

- 1.The District Collector,
District Collectorate,
Madurai,
Madurai District.
- 2.The Tahsildar,
Tahsildar Office,
Madurai South,
Madurai.
- 3.Madurai Forest Staff Co-operative Rural
Housing Society (A-2896),
Represented by its President,
No.5, Salai Mudaliar Street,
Narimedu,
Madurai-625 002.
- 4.The District Forest Officer,
Madurai Division,
Madurai District Court,
Race Course Road near Out Post,
Madurai-625 002.



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5. The Deputy Registrar of Co-operative Society (Housing),
5-A, Besant Road,
Ramamoorthy Road, Chokkikulam,
Madurai-625 002.

... Respondents

*(R5 is impleade vide Court order, dated 10.02.2025 in
W.M.P(MD)No/69 of 2025)*

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents herein to execute sale deed in the petitioner's name for Plot No.A/5, measuring 7.5 cents, allotted to M.P.Karuppiah, Assistant Conservator of Forests, at Nagamalai/Dis-Reserved Forest Area house sites, Karadipatti Village, under Tahsildar West Taluk, based on the petitioner's representation, dated 27.09.2024 and subsequently issue patta within the time frame stipulated by this Court.

*(Prayer amended vide Court order, dated 10.02.2025 in
W.M.P(MD)No.62 of 2025)*

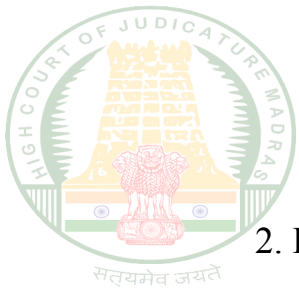
For Petitioner : Ms.M.Nila

For R1,R2 & R4 : Mr.B.Saravanan
Additional Government Pleader

For R3 : Mr.Gokulnath

ORDER

The petitioner seeks issuance of mandamus to direct the respondents to grant patta in the name of the petitioner for plot No.A/5, measuring 7.5 cents allotted to the petitioner's husband M.P.Karuppiah, who was the former Assistant Conservaor of Forests at Nagamalai.



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2. Heard the learned counsel on either side.

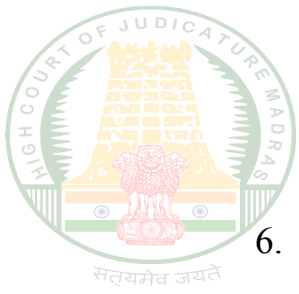
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3. The petitioner has given representation in this regard on 27.09.2024.

The petitioner is a widow, whose husband was entitled to the allotment of a plot. The case of the petitioner is that necessary payment was made even during the lifetime of the petitioner's husband as early as on 06.05.1979. But no action was taken to execute sale deed in favour of the petitioner's husband. It was further contended by the petitioner that the society itself was dissolved and therefore, formal transfer of plot in favour of the petitioner's husband never took place. The petitioner has therefore sent a representation for issuance of patta on 27.09.2024.

4. The learned counsel appearing for the 3rd respondent would submit no records are available with the 3rd respondent society.

5. The learned Additional Government Pleader would submit that the petitioner can approach the District Collector with a detailed representation setting out the entitlement of the petitioner for issuance of patta and the 1st respondent may be directed to pass orders on the petitioner's entitlement for the patta.



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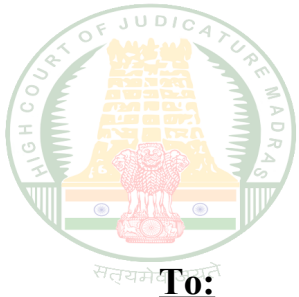
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6. In view of the submissions made by the learned Additional Government Pleader, this writ petition is disposed of, directing the 1st respondent to pass orders on the petitioner's representation, after giving an opportunity to the petitioner and after considering all the documents that may be produced by the writ petitioner and if necessary, after calling for the report from the 2nd respondent regarding physical possession of the petitioner and after considering the 3rd respondent office bearers. Based on subject to the final orders passed by the 1st respondent, the 3rd respondent shall execute a sale deed in favour of the petitioner in respect of Plot No.A/5 measuring 7.5 cents allotted to her husband M.P.Karuppiah. The said exercise shall be completed within a period of sixteen (16) weeks from the date of receipt of copy of this order.

7. With the above directions, this Writ Petition stands allowed. No costs.

25.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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P.B.BALAJI, J.

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