



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :06.07.2015

CORAM

THE HONOURABLE MR.JUSTICE.R.MAHADEVAN

W.P (MD) .No.11302 of 2015

K.Jeyapaul

... Petitioner

Vs

1.The District Collector,
Tuticorin District,
Tuticorin.

2.The Tahsildar,
Vilathikulam Taluk,
Vilathikulam, Tuticorin District.

3.D.Paulraj

4.Jasmin Manoranjitham

... Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus to forbear the second respondent from issuing separate patta to the fourth respondent in respect of the properties in S.No.104 in joint patta No.361, Vembaar Village, Vilathikulam Taluk, Tuticorin District.

For petitioner
For R.1&2

: Mr.M.Mohamed Sherbudden
: Mr.S.Chandrasekar
Government Advocate takes notice

ORDER

The petitioner has come forward with this Writ Petition praying for a Writ of Mandamus to forbear the second respondent from issuing separate patta to the fourth respondent in respect of the properties in S.No.104 in joint patta No.361, Vembaar Village, Vilathikulam Taluk, Tuticorin District.

2. Mr.S.Chandrasekar, learned Government Advocate takes notice for the official respondents.

3. By consent, this Writ Petition itself is taken up for final disposal.

4. The learned counsel appearing for the petitioner would submit that it would be suffice if the representation of the petitioner is disposed of, by the official respondents, on merits and in accordance with law within the time stipulated by this Court.



5. The learned Government Advocate appearing for the official respondents would submit that the prayer in this Writ Petition cannot be countenanced in law. Hence, it is liable to be dismissed.

6. As rightly pointed out by the learned Govt. Advocate, at the outset, the prayer as such cannot be granted in this Writ Petition. Therefore, this Court does not incline to issue any positive direction to the official respondents herein. Without going into the merits of the claim made by the petitioner in this Writ Petition, the second respondent is directed to pass appropriate orders on the representation of the petitioner, dated 29.06.2015, on merits and in accordance with law, after giving notice to the petitioner, the third and the fourth respondents as well as any other interested parties, if any, within a period of two months from the date of receipt of a copy of this order.

With the above direction, this Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Ssm

Sd/-

Assistant Registrar[AE]

/True copy/

Sub Assistant Registrar

To

1.The District Collector, Tuticorin District, Tuticorin.

2.The Tahsildar,
Vilathikulam Taluk, Vilathikulam, Tuticorin District.

+1 cc to Mr.M.Mohamed Sherbudeen, Advocate SR.No.36177.

+1 cc to Special Government Pleader, SR.No.36546.

W.P(MD).No.11302 of 2015

Dated:06.07.2015

2P/5C

RPB 22.07.2015