



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 21.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) .No.12449 of 2015

WEB COPY

V.P.Rasu Thevar

...Petitioner

Vs

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Vadipatti Taluk,
Vadipatti,
Madurai District.

...Respondents

Prayer:-

Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to issue patta with regard to the property in S.No.135/4 and 136/2 Kallanai Village, Vadipatti Taluk, Madurai District, as per the sale deed executed by the learned First Additional Sub Court, Madurai and registered as Document No.3431/2013.

For Petitioner : Mr.K.Viralinathan

For Respondents : Mrs.S.Bharathi
Government Advocate

ORDER

The petitioner has come forward with this Writ Petition for the issuance of separate patta with regard to the property in S.No.135/4 and 136/2 Kallanai Village, Vadipatti Taluk, Madurai District, as per the sale deed executed by the learned II Additional Sub Court, Madurai and registered as Document No.3431/2013.

2. Mrs.S.Bharathi, learned Govt.Advocate takes notice for the 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 dated 25.06.2015 is disposed of, on merits and in accordance with law within the time stipulated by this Court.



5. The learned Government Advocate appearing for the respondents would submit that the representation of the petitioner will be considered in accordance with law and on merits.

6. Though the petitioner has sought for a Mandamus for the issuance of separate patta, issuing patta is nothing but giving recognition of the lands possessed by the applicant. It is one of the essential documents for sale of the property in question. Hence, while issuing patta to the applicant, the Revenue authorities has to consider each and every aspect involved for the grant of patta, as it may very much affect the innocent owner. Hence, 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 25.06.2015, on merits and in accordance with law, after giving an opportunity of hearing to the petitioner as well as any of the interested parties and also after verifying the relevant records as on date, within a period of six weeks from the date of receipt of a copy of this order. While passing orders on the representation of the petitioner, the respondents shall take note of the orders made in O.S.No.575 of 2009 as well as I.A.No.71/2014 filed before II Additional Sub Court, Madurai, to give quietus to this matter.

With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (WRIT)

/True copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Vadipatti Taluk,
Vadipatti,
Madurai District.

3.The II Additional Sus Judge, Madurai.

+1CC TO MR.VIRALINATHAN ADVOCATE IN SR NO.39680/15

+1CC TO SPECIAL GOVERNMENT PLEADER IN SR NO.39714/15

Ssm:

sdr:2p/6c

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