



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.7.2015

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) .No.12704 of 2015

Periyasamy

...Petitioner

Vs

1.The Commissioner,
Land Administration Department,
Chepauk,
Chennai.

2.The District Collector,
Pudukottai District,
Pudukottai.

3.The District Revenue Officer,
Pudukottai District,
Pudukottai.

4.The Revenue Divisional Officer,
Illuppur Revenue Division,
Illuppur,
Pudukottai District.

5.The Thasildhar
Ponnamaravathy,
Pudukottai District.

6.The Block Development Officer
(Village Panchayats),
Ponnamaravathy Panchayat Union,
Pudukottai District.

...Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to direct the 3rd respondent to take necessary steps to grant Natham patta to the petitioner for his ancestral lands which is situated in Natham Survey No.130 of Nagarapatty Village, Ponnamaravathy Taluk, Pudukkottai District and consequently direct the 5th respondent to take suitable action against the tree cutters based on the petitioner's representations dated 5.3.2015 and 25.6.2015 within a period of stipulated time.

For Petitioner : Mr.S.Muthalraj

<https://hcservices.ecourts.gov.in/hcservices/>

For Respondents : Mr.S.Chandrasekar

Government Advocate

ORDER

The petitioner has come forward with this Writ Petition for the issuance of patta for the lands possessed by him on the basis of the representations dated 05.03.2015 and 25.06.2015.

2. Mrs.S.Chandrasekar, 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 is considered in tune with the existing Government Orders applicable from time to time, within the time stipulated by this Court.

5. The learned Government Advocate appearing for the respondents would submit that representations 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 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.

7. In such view of the matter, without going into the merits of the claim made by the petitioner in this Writ Petition and if there is no impediment to consider the claim of the petitioner, the third respondent is directed to pass appropriate orders, on the representations of the Petitioner dated 05.03.2015 and 25.06.2015 on merits and in accordance with law, after giving notice to the interested parties, if any 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.

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

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar



To

1.The Commissioner,
Land Administration Department,
Chepauk,
Chennai.

2.The District Collector,
Pudukottai District,
Pudukottai.

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(Village Panchayats),
Ponnamaravathy Panchayat Union,
Pudukottai District.

+One cc to M/s.Na.Palaniyandi, Advocate, SR.No.40603
+One cc to The Special Government Pleader, SR.No.40917
ssm
RL/9c - 4/8/2015

W.P (MD) .No.12704 of 2015

23.07.2015