



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD).No.12716 of 2015

M.PR.S.Periyanayaki

...Petitioner

Vs

1.The District Collector,
Sivagangai District, Sivagangai.

2.The District Revenue Officer,
District Collector Office, Sivagangai 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 consider the petitioner's representation dated 14.07.2014 to issue patta in S.No.142/9 and 142/11 situated at Aaravayal Village, Devakottai Taluk, Sivagangai District and the second respondent to act in accordance with law.

For Petitioner	: Mr.B.Vinoth Balan
For Respondents	: Mrs.S.Bharathi Govt.Advocate

ORDER

The petitioner has come forward with this Writ Petition for the issuance of patta for the lands possessed by her.

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 there is no rival claim nor suit is pending for the issuance of patta to the lands belonging to the petitioner.

5. The learned Government Advocate appearing for the respondents would submit that already summons have been issued to the petitioner for the issuance of patta to the petitioner. In this regard, the petitioner has also made a representation dated 14.07.2014. The said representation will be considered by the respondents 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 the case on hand, since the petitioner claims that there is no rival claim nor suit is pending and already summons have been issued to the petitioner for the issuance of patta, without going into the merits of the claim made by the petitioner in this Writ Petition, the second respondent is directed to complete proceedings already initiated in respect of the issue in question, and pass appropriate orders, 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(RTI)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Sivagangai District, Sivagangai.

2.The District Revenue Officer,
District Collector Office, Sivagangai District.

+lcc to Mr.B.Vinoth Balan Advocate in SR.No.40498

+lcc to Special Government Pleader in SR.No.41110

W.P(MD) .No.12716 of 2015
Dated:23.07.2015

SK/01.08.2015/2p/5c