



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.7.2015

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) .No.13192 of 2015

S.Venkatachalam

...Petitioner

Vs

1.The District Collector,
Sivagangai Collector Office, Sivagangai.

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

3.The Revenue Divisional Officer,
Ram Nagar, Devakottai Taluk,
Sivagangai.

4.The Thasildar, Ram Nagar,
Devakottai Taluk,
Sivagangai.

...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 19.11.2012 to issue patta in favour of petitioner in S.No.143/11 property located at Aaravayal Village, Devakottai Taluk, Sivagangai District and consequently direct the respondents to act accordance with law.

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

ORDER

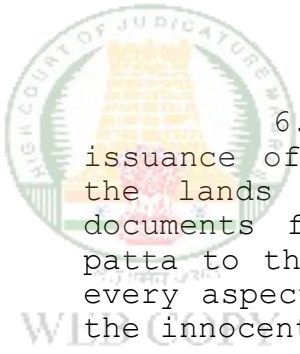
The petitioner has come forward with this Writ Petition for the issuance of patta for the lands possessed by him.

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 as impediment for the issuance of patta to the lands belonging to the petitioner.

5. The learned Government Advocate appearing for the respondents
<https://hcservices.ecourts.gov.in/hcservices/>
web portal in which the representation of the petitioner will be considered on merits and in accordance with law.



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, without going into the merits of the claim made by the petitioner in this Writ Petition, the fourth respondent is directed to pass appropriate orders, on the representation dated 19.11.2012 on merits and in accordance with law, after giving notice to 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. The petitioner is directed to enclose a copy of the said representation along with a copy of this order for further follow up by the authorities concerned.

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

Sd/-

Assistant Registrar (Writs)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Sivagangai Collector Office, Sivagangai.

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

3.The Revenue Divisional Officer,
Ram Nagar, Devakottai Taluk, Sivagangai.

4.The Thasildar,
Ram Nagar, Devakottai Taluk, Sivagangai.

+1cc to MR.B.VINOTH BALAN, Advocate in SR.No. 41914
+1CC THE SPECIAL GOVERNMENT PLEADER, IN SR.NO. 42222

Ssm

SR : 05.08.2015 : 2p/7c

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28.07.2015