



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 29.7.2015
CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

WEB COPY

W.P(MD) .No.13262 of 2015

Sivaganga Devasthanam
rep.by it Manager
P.Ilango,
Sivagangai Samasthanam Dewasthanam,
Thirupuvanam, Sivagangai District.

...Petitioner

Vs

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Thiruppuvanam Taluk,
Thiruppuvanam
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 16.02.2015 and grant patta to the petitioner dewasthanam for old S.Nos.16/6, New S.No.16/16 of Thiruppuvanam Village.

For Petitioner : M/s.T.Srinivasaraghavan
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 then.

2. Mr.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 to the court that there is no rival claim nor suit is pending as an impediment for the issuance of patta to the lands belonging to the petitioner.



5. The learned Government Advocate appearing for the respondents would submit that 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 second respondent is directed to pass appropriate orders, on the representation dated 16.02.2015 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.

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

Sd/-

Assistant Registrar(CO)

/TRUE COPY/

Sub Assistant Registrar

To

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Thiruppuvanam Taluk,
Thiruppuvanam Sivagangai District.

+1 CC TO M/S. SPL.GOV.T.PLEADER, SR NO:43407

SSM

JAM/18.8.15/2P-4C

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