



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2015

CORAM :

WEB COPY

**THE HONOURABLE MR.JUSTICE R.MAHADEVAN**

Writ Petition (MD) No.13454 of 2015

1.A.Mallaiah  
2.M.Sabarimalai  
3.M.Alagar  
4.M.Thirumalai

... Petitioners

Vs.

1.The District Collector,  
Madurai District.

2.The Tahsildar,  
Thirumangalam Taluk,  
Madurai.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to issue individual separate patta in survey no.246/4 situated in Keelkottai Nadukkottai Thirumangalam Taluk Madurai District according to the registered gift settlement or consider petitioner's representation dated 13.7.2015.

For Petitioner : Mr.R.Santhanam

For Respondents : Mrs.S.Bharathi,  
Government Advocate.

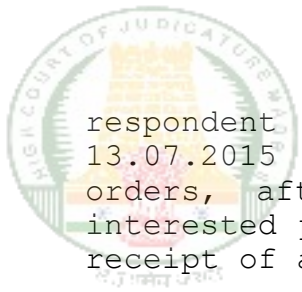
### ORDER

Heard the learned counsel appearing for the petitioner and Mrs.S.Bharathi, learned Government Advocate for the respondents. By consent, the writ petition itself is taken up for final disposal at the admission stage itself.

2.The prayer in the writ petition is to direct the second respondent to issue separate patta in Survey No.246/4 situated in Keelkottai, Nadukkottai, Thirumangalam Taluk, Madurai District according to the registered gift settlement and based on the petitioner's representation dated 13.7.2015.

3.The petitioner has made a representation to the respondents dated 13.07.2015 seeking patta in respect of their property in question. It is specifically submitted by the learned counsel for the petitioners that there is no rival claim nor any suit pending in respect of the subject matter. Therefore, learned counsel for the petitioners seeks the indulgence of this Court for a direction to the respondents to consider the representation of the petitioners and pass appropriate orders on merits.

4.Considering the facts and circumstances of the case and without expressing any opinion as to the merits of the contentions raised by the petitioners, the writ petition is disposed of directing the second



respondent to consider the representation of the petitioner dated 13.07.2015 on merits and in accordance with law, and pass appropriate orders, after giving opportunity to the petitioner as well as the interested parties if any, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar.

To

1.The District Collector,  
Madurai District.

2.The Tahsildar,  
Thirumangalam Taluk,  
Madurai.

+1CC to Mr.R.Santhanam Advocate SR.No.42773

+1CC to Spl Government Pleader SR.No.43968

Writ Petition (MD) No.13454 of 2015

Dated: 31.07.2015

GJM/12.8.15-2p-5c