



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2015

CORAM :

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

Writ Petition (MD) No.13484 of 2015

WEB COPY

Valli

... Petitioner

Vs.

1.State represented by
District Collector,
Tiruchirapalli District,
Collectorate,
Tiruchirapalli.

2.The Tahsildar,
Mannachanallur Taluk,
Tiruchirapalli District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to issue Patta to the petitioner as per the reference made by petitioner to the 1st respondent on 7.7.14 vide MM/14/09635 in respect of the land measuring 2 025 sq.ft in Survey no.137 in Madhavaperumal Kovil Village Mannachanallur Tiruchirappalli District within the time frame fixed by this Honourable Court.

For Petitioner : Mr.N.Sivasubramani

For Respondents : Mrs.S.Bharathy,
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.

2.The prayer in the writ petition is to direct the second respondent to issue patta to the petitioner as per the reference made by her to the first respondent on 07.07.2014 vide MM/14/09635 in respect of the land measuring 2,025 sq.ft in Survey No.137, in Madhavaperumal Kovil Village, Mannachanallur, Tiruchirapalli District.

3.The petitioner submitted an application before the first respondent on 07.07.2014 for issuance of patta in respect of the property owned by her by enclosing all the relevant documents. The said application was forwarded to the second respondent. Since no action has been taken, the petitioner made an application to the second respondent on 25.07.2014 requesting him to issue a patta in respect of the land owned by her. Upon her application, the Village Administrative Officer, Madhavaperumalkoil village had conducted an enquiry and submitted a report to the Deputy Tashildar, Manachanallur Taluk, Trichirapalli. The concerned Revenue Inspector had also submitted a report to the Deputy Tashildar, Manachanallur to the same effect. Though the concerned Village Administrative Officer and the concerned Revenue Inspector



submitted a report to the second respondent, the second respondent has not issued any patta. Hence, the petitioner has come before this Court with the above said relief.

4.Learned counsel appearing for the petitioner would submit that it would suffice if the representation of the petitioner is directed to be disposed of by the respondents, on merits and in accordance with law within the time stipulated by this Court.

5.Learned Government Advocate appearing for the officials respondents submitted that the respondents will consider the representation of the petitioner on merits and in accordance with law.

6.Though the petitioner has sought for a Mandamus, the issuance of 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 grant of patta, as it may very much affect the innocent owner. Hence, 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 of the petitioner, dated 25.07.2014, 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.

7.With the above directions, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar

/True copy/

Sub Assistant Registrar

sms
To

1. District Collector,
Tiruchirapalli District,
Collectorate,
Tiruchirapalli.

2.The Tahsildar,
Mannachanallur Taluk,
Tiruchirapalli District.

+1CC to Mr.N.Siva Subramanian Advocate SR.No.42600

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GJM/14/8/15-2P/4C