



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.08.2015

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THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.(MD)No.13576 of 2015

WEB COPY

SP.RAMACHANDRAN

.. Petitioner

Vs.

1. THE DISTRICT COLLECTOR,
PUDUKKOTTAI DISTRICT.
2. THE DISTRICT REVENUE OFFICER,
PUDUKKOTTAI DISTRICT.
3. THE REVENUE DIVISIONAL OFFICER,
PUDUKKOTTAI, PUDUKKOTTAI DISTRICT.
4. THE TAHSILDHAR,
THIRUMAYAM TALUK, PUDUKKOTTAI DISTRICT.

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents herein to consider the representation of the petitioner dated 16.4.2015 and to issue patta to the petitioner for the lands situated in Survey Nos.18/1, 19/1, 20/1 and 21/3 situated at Kottaiyur village, Thirumayam Taluk, Pudukkottai District.

For Petitioner : Mr.A.K.Manickam

For Respondents : Mr.S.Kumar
Additional Government Pleader

O R D E R

This writ petition has been filed for a writ of Mandamus directing the respondents herein to consider the representation of the petitioner dated 16.4.2015 and to issue patta to the petitioner for the lands situated in Survey Nos.18/1, 19/1, 20/1 and 21/3 at Kottaiyur village, Thirumayam Taluk, Pudukkottai District.

2.The case of the petitioner is that he is the owner of the properties comprised in Survey Nos.19/2A, 19/2B, 19/2C1, 19/2C2, 20/2A, 20/2B, 20/2C, 20/2D, 20/2H, 21/2A, 21/1, 21/2B, 21/2C, 18/2 and 18/3 situated in Kottaiyur village, Thirumayam Taluk, Pudukkottai District. All the above said properties are self acquired properties of the petitioner and he is cultivating several crops in the above said properties and the respondents have also issued patta in the name of the petitioner to the above said properties.

3.It is the further case of the petitioner that the residents of Kottaiyur village were using the pathway on the banks of the pond (Kulathukavani) situated at the northern side of the petitioner's property. During rainy season the village public are facing much difficulties and they could not use the said pathway. Hence, the village



people and the revenue officials approached the petitioner with a request to give them pathway in his property. The petitioner accepted for the same and gave 3 ½ acres of the petitioner's land for the use of pathway. Now, a road was also laid by the Government and the people of Kottaiyur village and other village people are using the same as pathway. Further, the Kottaiyur village people and the nearby villagers gave their consent in writing on 15.03.2002 in the presence of the Revenue officials to provide a cart track (Vanipathai) in the said land to the petitioner. The land comprised in Survey Nos.18/1, 19/1, 20/1 and 21/3, which stands under the classification of the 'Vandipathai' were given to the petitioner reciprocally instead of the lands to an extent of 3 ½ acres given by the petitioner to the Kottaiyur villagers. Based on the above facts, the petitioner has made a representation, dated 16.04.2015, to the respondents to give patta in respect of the said land. But till date, the said representation has not been considered. Hence, the petitioner has come forward with this writ petition for the relief stated supra.

4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

5. Considering the facts and circumstances of the case, without going into the merits of the matter, this Court directs the fourth respondent to consider the representation of the petitioner, dated 16.04.2015 with regard to issuance of patta to the petitioner for the lands situated in Survey Nos.18/1, 19/1, 20/1 and 21/3 situated at Kottaiyur village, Thirumayam Taluk, Pudukkottai District, and pass appropriate orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording opportunity to the petitioner and other necessary parties, if any. It is made clear that this Court has not expressed any opinion about the merits of the case.

6. This writ petition stands disposed of accordingly. No costs.

Sd/-

Assistant Registrar(AE)

/TRUE COPY/

Sub Assistant Registrar

To

1. THE DISTRICT COLLECTOR, PUDUKKOTTAI DISTRICT.
2. THE DISTRICT REVENUE OFFICER, PUDUKKOTTAI DISTRICT.
3. THE REVENUE DIVISIONAL OFFICER, PUDUKKOTTAI, PUDUKKOTTAI DISTRICT.
4. THE TAHSILDHAR, THIRUMAYAM TALUK, PUDUKKOTTAI DISTRICT.

+1cc to Mr.A.K.Manickam, Advocate SR.No.45442

+1cc to Special Govt. Pleader SR.No.45572

W.P. (MD) No.13576 of 2015
10.08.2015

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