



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :24.04.2015

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD).No.15013 of 2014

Balasubramanian

... Petitioner

Vs

1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai.

2.The Special Commissioner,
Land Administration,
Chennai-600 005.

3.The District Collector,
Trichirapalli District,
Trichirapalli.

4.The Revenue Divisional Officer,
Revenue Divisional Office,
Trichirapalli.

5.The Executive Engineer &
Administrative Officer,
Trichy Housing Unit,
O/o.The Tamil Nadu Housing Board,
Kajamalai Colony, Trichy,
Trichirapalli District.

6.The Tahsildar,
Thiruverumpur Taluk Office,
Thiruverumpur,
Trichirapalli District-620 013. ... Respondents

This Writ Petition has been filed praying for a Writ of Mandamus directing the 6th respondent to issue regular patta (instead of manaivari patta for MIG- 15 plot bearing survey No.310/1Pt extent of 180 square metre situated at No.33, Navalpattu Village, Thiruverumpur Taluk in Trichirappalli Disitric in favour of the petitioner within stipulated time on the basis of the petitioner's representation dated 01.08.2014 and the 6th respondents to pay compensation to the petitioner.



For petitioner : Mr.P.Krishnasamy
For R.1 to 4 : Mr.N.Manoharan
and R6 Spl.Govt.Pleader, takes notice
For R.5 : No appearance

WEB COPY

ORDER

The petitioner has come forward with this Writ Petition for the issuance of regular patta instead of manaivari patta, for the lands possessed by him. He has also sought for compensation from the respondents for the delay caused in issuing the regular patta.

2. Mr.N.Manoharan, learned Spl.Govt.Pleader takes notice for R.1 to R.4.

3. By consent, this Writ Petition itself is taken up for final disposal.

4. The learned counsel appearing for the petitioner would submit that the petitioner has been issued Manaivari patta as early as 22.02.2013. Seeking regular patta for the lands possessed by the petitioner, he approached the respondents on 07.07.2014 and 01.08.2014 and the same is pending for consideration. Due to the delay caused by the respondents, the petitioner has also sought for compensation from the respondents.

5. The learned Special Government Pleader appearing for the official respondents 1 to 4 has no objection in considering the representation of the petitioner in respect of grant of patta alone.

6. Though the petitioner has sought for a Mandamus for the issuance of regular 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 Tahsildar has to consider each and every aspect involved for the 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 fifth respondent is directed to pass appropriate orders, on the representations of the petitioner, dated 07.07.2014 and 01.08.2014, 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 two months 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(AE)



To

1.The Secretary to Government,
Housing and Urban Development Department,
Secretariat, Chennai.

2.The Special Commissioner,
Land Administration,
Chennai-600 005.

3.The District Collector,
Trichirapalli District,
Trichirapalli.

4.The Revenue Divisional Officer,
Revenue Divisional Office,
Trichirapalli.

5.The Executive Engineer &
Administrative Officer,
Trichy Housing Unit,
O/o.The Tamil Nadu Housing Board,
Kajamalai Colony, Trichy,
Trichirapalli District.

6.The Tahsildar,
Thiruverumpur Taluk Office,
Thiruverumpur,
Trichirapalli District-620 013.

+1cc to MR.P.KRISHNASAMY, ADVOCATE IN SR NO.22018

+1cc to Special Government Pleader Sr NO. 22322

W.P (MD) .No.15013 of 2014
24.04.2015

RG.13.05.2015 3P.9C.