



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.10.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.18311 of 2015

T.Alagarsamy

...Petitioner

Vs.

1.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2.The Thasildar,
Kadaladi Taluk,
Ramanathapuram District.

...Respondents

Prayer: This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the first respondent to dispose of the petitioner's representation, dated 18.12.2014 submitted for change of patta in respect of the land comprised in Survey No.339/4C measuring about 68 cents out of 1 acre and 10 cents situated at S.Keeranthai Village, S.Vagaikulam Group, Kadaladi Taluk, Ramanathapuram District, within the time frame as fixed by this Court.

For Petitioner : Mr.B.Prahalad Ravi

For Respondents : Mr.M.Murugan,
Government Advocate

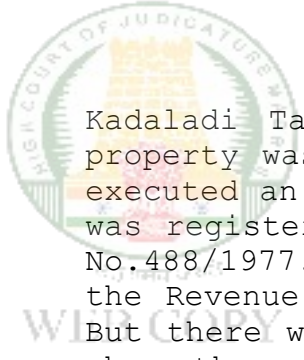
ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the first respondent to dispose of the petitioner's representation, dated 18.12.2014 submitted for change of patta in respect of the land measuring about 68 cents out of 1 acre and 10 cents comprised in Survey No.339/4C situated at S.Keeranthai Village, S.Vagaikulam Group, Kadaladi Taluk, Ramanathapuram District, within a stipulated time.

2.Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

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

4. In the affidavit it has been averred that the petitioner has been in absolute possession and enjoyment of the land measuring about 68 cents out of 1 acre and 10 cents comprised in Survey No.339/4C bearing patta No.470(punja land) situated at S.Keeranthai Village, S.Vagaikulam Group,



Kadaladi Taluk, Ramanathapuram District. Originally, the above said property was in possession of the petitioner's father and thereafter, he executed an inam settlement deed in favour of the petitioner and the same was registered in the office of the Sub-Registrar, Sayalkudi in Document No.488/1977. Thereafter, the petitioner had made several applications to the Revenue Authorities for change of patta in favour of the petitioner. But there was no action on the part of the respondents. Subsequently, when the petitioner approached the bank for obtaining loan, he was informed that the petitioner has to necessarily get patta in his name and then only, the bank will consider his loan application. Finally, the petitioner had submitted a representation on 18.12.2014 for change of patta in his name in respect of the above said land. Since the same was not considered so far, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the submissions made by the learned counsel for the petitioner, this Court is constrained to pass the following order:

Without going into the merits of the averments made in the Writ Petition, this Court directs the second respondent consider the representation of the petitioner, dated 18.12.2014 and pass appropriate orders on merits and in accordance with law, by affording an opportunity of hearing to all the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion on the merits of the claim made by the petitioner and it is for the second respondent to consider the same purely on merits.

With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

pm

To

1.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2.The Thasildar,
Kadaladi Taluk,
Ramanathapuram District.

+1CC to Mr.B.Prahalad Ravi Advocate Sr.No.60233

GJM/AMF/SAR-I -14.10.15-2P-4C

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