



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **30.10.2015**

CORAM

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THE HONOURABLE **MR. JUSTICE R. SUBBIAH**

W.P(MD) .No.19751 of 2015

Murugesan

... Petitioner

Vs.

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Madurai District.

3.The Thasildhar,
Vadipatti Taluk,
Madurai District.

... Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the third respondent to issue individual patta in the name of the petitioner to the property, in S.No.566/2B2A and S.No.566/2B2C in Melakkal village, Vadipatti Taluk, Madurai District by disposing his application, dated 18.03.2013 in accordance with law and also by giving hearing opportunity, within a time to be fixed by this Court.

For petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.S.Kumar,

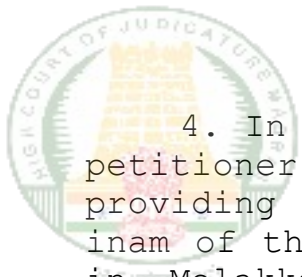
Additional Government Pleader

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the third respondent to issue individual patta in the name of the petitioner in respect of the property, in S.No.566/2B2A and S.No.566/2B2C in Melakkal village, Vadipatti Taluk, Madurai District by disposing his application, dated 18.03.2013 in accordance with law and also by giving opportunity, within a stipulated time.

2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondents.

<https://hcservices.courts.gov.in/hcservices/>
3. By consent, the Writ Petition itself is taken up for final disposal.



4. In the affidavit it has been averred that the father of the petitioner, his brothers and his pangalis are doing service of providing water to the passerby by installing a water shed by got inam of the property measuring 7 acres and 58 cents in S.No.566/2 in Melakkal Village in Vadipatti Taluk in Madurai District. After the introduction of Inam Abolition Act, considering their long possession and enjoyment, after considering relevant Sections and Rules, the settlement Tahsildar initiated proceedings. In the said proceedings, the father of the petitioner, his brothers and other pangalis had participated the enquiry and got the Ryotwari patta. After introduction of Tamil Nadu Patta Passbook Act, brothers of the petitioner's father and other pangalis got individual patta in their name, by sub-dividing the above said S.No.566/2, by way of oral partition. But due to his avocation, the father of the petitioner omitted to get patta. Thereafter, the father of the petitioner had approached the third respondent for getting individual patta in his name. But his efforts ended in futile. Since the father of the petitioner was sick, the petitioner took possession of the property. Hence, on 18.03.2013, the petitioner made an application to the first respondent herein with all relevant documents to the first respondent herein. Since the same was not considered, the petitioner has made a detailed representation to the first respondent on 20.07.2015 requesting him to consider the application of the petitioner and to issue patta in his favour. 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 appearing for the petitioner, without going into merits of the claim made by the petitioner, this Court directs the third respondent to consider the application of the petitioner, dated 18.03.2013, and pass appropriate order, with regard to issuance of patta in the name of the petitioner, in respect of the property in S.No.566/2B2A and S.No.566/2BSC in Melakkal Village, Vadipattai Taluk, Madurai District, by affording an opportunity of hearing to all the necessary parties within a period of six 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 third respondent to consider the same purely on merits.

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

Sd/-

Assistant Registrar(CS-I)

/True Copy/



1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Madurai District.

3.The Thasildhar,
Vadipatti Taluk,
Madurai District.

+1 cc to Mr.R.Suriya Narayanan,Advocate, SR No.64427

+1 cc to Special Government Pleadar SR No.64284

W.P (MD) .No.19751 of 2015
30.10.2015

RG.NGM-SS 03.12.2015 3P.6C