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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:28.01.2015

CORAM:

THE HONOURABLE MR.JUSTICE **B. RAJENDRAN**

W.P. (MD) No.947 of 2015

and

M.P. (MD) .No.1 of 2015

P.Pappammal : Petitioner

Vs

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Melur Taluk,
Melur, Madurai District.

3.The Executive Engineer,
Public Works Department,
Periyar Main Canal division,
Water Resources Organisation,
Melur, Madurai District. : Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the first and the second respondents to issue patta to the petitioner in respect of the two cents of land in which the house situate as D.No.10/272, comprised in Old Survey No.552, New Survey No.274/2C2, Pettai, Rajaji Nagar, Karungalakudi, Melur Taluk, Melur, Madurai District.

For Petitioner : Mr.S.Ramu

For Respondents : Mr.K.Guru

Additional Government Pleader

O R D E R

The Writ Petition has been filed seeking for a Mandamus directing the first and the second respondents to issue patta to the petitioner in respect of the two cents of land in which the house situate as D.No.10/272, comprised in Old Survey No.552, New Survey No.274/2C2, Pettai, Rajaji Nagar, Karungalakudi, Melur Taluk, Melur, Madurai District.

2. The learned counsel appearing for the petitioner submits that the petitioner apprehends threats at the hands of the third respondent on the ground of encroachment.



3. *Per contra*, the third respondent has stated that they have not visited the place of the petitioner nor threatened him. However, he submits that the land in which the petitioner occupied is a school building.

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4. At this juncture, the learned counsel for the petitioner submits that he has made a representation in respect of his claim way back in the year 2012 and presently, on 05.12.2014. The same may be directed to be disposed of by the respondents within a stipulated time to be fixed by this Court.

5. Whether the petitioner is eligible for patta or not, it is for the second respondent to decide such issue on merits and in accordance with law, after giving notice to the interested parties, if any and decide the same as expeditiously as possible and it is made clear that this Court directs the second respondent only to consider the representation of the petitioner dated 16.07.2012 and 05.12.2014 and it should not be construed as for grant of patta.

6. With the above direction, this Writ Petition is disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(Per Admn)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Melur Taluk,
Melur, Madurai District.

3.The Executive Engineer,
Public Works Department,
Periyar Main Canal division,
Water Resources Organisation,
Melur, Madurai District.

+1cc to Mr.S.Ramu, Advocate Sr.No. 376
+1cc to Spl.Government Pleader Sr.No. 3894
ssm
AA/14.02.2015/2p- 6c/

W.P. (MD)No.947 of 2015
27.01.2015