

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.03.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.10219 of 2016

M.Palani

... Petitioner

Vs.

1. The District Collector,
Dharmapuri District,
Dharmapuri.

2. The Tahsildar,
Dharmapuri Taluk
Dharmapuri.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to issue patta in favour of the petitioner in respect of the land in S.No.304/3 and 304/10 of Mukkan Nayakanhalli Village based on his representation dated 11.2.2016.

For Petitioner : Mr.M.Selvam

For Respondents : Mr.M.Dig Vijaya Pandian
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The present writ petition has been filed seeking a Mandamus directing the respondent to issue patta in favour of the petitioner in respect of the land in S.No.304/3 and 304/10 of Mukkan Nayakanhalli Village based on his representation dated 11.02.2016.

3.In the petition it has been stated that the petitioner's father Marappan purchased an extent of 18-1/2 cents in S.No.304/3 and 6-1/2 cents in S.No.304/10 of Mukkan Nayakanahalli Village for valuable consideration vide registered sale deed dated 04.06.1984 in Document No.1005/1984 on the file of the Joint Sub-Registrar-II, Dharmapuri. The said lands were

agricultural lands and the petitioner's father being a farmer was cultivating the said lands and during his life time, he was trying to get patta for the said lands, but could not get patta. Whiles, the petitioner's father died on 30.01.1994 leaving behind the petitioner as his legal heir. Thereafter, the petitioner was looking after the property and he is in possession and enjoyment of the property. The petitioner is also a farmer and he is also cultivating the lands in S.No.304/3 and S.No.304/10 of Mukkan Nayakanahalli Village purchased by his father. He made several representations to the respondents to issue patta and the last of such representation was made on 11.02.2016, but none of the representation was considered. Hence, the petitioner has come forward with this petition.

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

5. This Court without going into the merits of the claim made by the petitioner, directs the petitioner to give a fresh representation along with a copy of this order to the respondents within a period of one week from the date of receipt of a copy of this order and the respondents on receipt of the same, are directed to consider the same and pass appropriate orders, after affording opportunity of personal hearing to the petitioner as well as to all the necessary parties, within a period of six weeks thereafter.

6. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner. The writ petition is disposed of accordingly. No costs.

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-s/d-

Assistant Registrar(J)

True Copy

Sub-Assistant Registrar

To

1. The District Collector,
Dharmapuri District, Dharmapuri.
2. The Tahsildar,
Dharmapuri Taluk, Dharmapuri.

+ 1 cc to Mr.M.Selvam,vocate, SR 17322

+ 1 cc to Government Pleader, High Court, Madras SR 17759

vd(co)

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