



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 22.06.2016

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.10998 of 2016

G.Lazer Nadar

.. Petitioner

Vs

1. The District Collector,
Collectorate, Tuticorin.2. The Tahsildar,
Taluk Office,
Tuticorin-3.

3.C.Silivai Arockiam

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to issue a patta pass book in favour of the Petitioner to his property bearing S.No.110/20 situated at Maravanmadam Village, Tuticorin District measuring an extent of 4 cents on the basis of his representation, dated 28.4.2016.

For Petitioner	: M/s.B.N.Raja Mohamed
For Respondents	: Mr.S.Kumar
1 and 2	Addl.Govt.Pleader

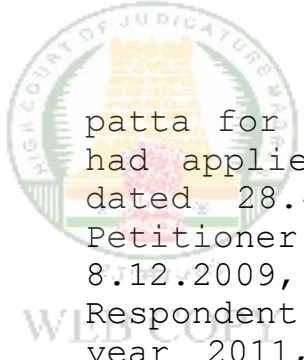
ORDER

Heard both sides.

2.To avoid an avoidable delay, notice to the Third Respondent is dispensed with.

3.By consent of both sides, the main Writ Petition itself is taken up for final disposal. No counter is filed on behalf of the Respondents 1 and 2.

4.According to the Petitioner, he is a bonafide purchaser of the property situated in S.No.110/20 situated at Maravanmadam Village, Tuticorin District measuring an extent of 4 cents. The case of the Petitioner is that he is not in possession of the



patta for the property in question, till this day. Therefore, he had applied to the Respondents 1 and 2 through representation, dated 28.4.2016. At this stage, the Learned Counsel for the Petitioner brings it to the notice of this Court that on 8.12.2009, he had sold the property in question to the Third Respondent by means of sale deed, dated 8.12.2009. However, in the year 2011, the same property was resold to him by the Third Respondent by means of sale deed, dated 10.01.2011.

5. It comes to be known that the Petitioner in the representation, dated 28.4.2016 addressed to the Second Respondent had not mentioned about the property being resold to him in the year 2011. Considering the limited relief sought for by the Petitioner in his representation, dated 28.4.2016, at this stage, this Court in the interest of justice, Equity, Fair Play and Good Conscience, directs the Petitioner to submit a fresh representation addressed to the Second Respondent, outlining the details of his property transaction in a lucid manner within a period of two weeks from the date of receipt of a copy of this Order and on receipt of such fresh representation from the Petitioner in writing, the Second Respondent shall look into the same and dispose of the same within a period of four weeks thereafter. It is open to the Petitioner to submit/produce copies of necessary documents/records before the Second Respondent and on receipt/production of the said documents/records, the Second Respondent shall do the needful within the time limit prescribed by this Court. The Petitioner is directed to lend his assistance and co-operation to the Second Respondent in this regard, for disposal of his representation, within the time limit determined by this Court, as stated supra.

6. With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

/True copy/

Sub Assistant Registrar

To

1. The District Collector,
Collectorate, Tuticorin.
2. The Tahsildar, Taluk Office,
Tuticorin-3.

+ 1 CC TO M/S.B.N.RAJA MOHAMED, ADVOCATE IN SR No. 32476

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 32315

<https://hcservices.ecourts.gov.in/hcservices/>

TE/PEK/ : 30/06/2016 : 2P/5C

W.P (MD) No.10998 of 2016

22.06.2016