



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 24.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.11179 of 2016

P.Chithiraiselvi

..Petitioner

Vs

The Tahsildar,
Tahsildar's Office,
Santhankulam Taluk,
Thoothukudi District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to grant patta entry in the Petitioner's name in respect of the properties in S.No.278, in Flat No.29, situated at Mudalur, Santhankulam Taluk, Thoothukudi District in the Petitioner's name, in the light of the applications, Jamabandhi 1420, Pasali year on 3.6.2011.

For Petitioner :M/s.J.Ashok

For Respondent :Mr.J.Gunaseelan Muthiah
Govt.Advocate

ORDER

Heard both sides.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3.At this stage, the Learned Counsel for the Petitioner brings it to the notice of this Court that the Petitioner's representation, dated 3.6.2011 is pending in the hands of the Respondent, wherein, he had sought for issuance of patta in respect of the properties in S.No.278, in Flat No.29, situated at Mudalur, Santhankulam Taluk, Thoothukudi District in his name, in the light of the applications, Jamabandhi 1420, Pasali year on 3.6.2011.

4.It appears that the Petitioner's representation, dated 3.6.2011 in the subject- matter in issue is pending in the hands of the Respondent for nearly five years without any progress. At this stage, this Court very pertinently points out that the ingredients of Tamil Nadu Patta Pass-Book Act, 1983 and Tamil Nadu Patta Pass-Book Rules, 1987 are in-built and self-contained one. Therefore, it is for the Petitioner to avail the benefits of the aforesaid Act and Rules by adhering to the same I.e., by submitting necessary application in the prescribed format. It is



not known whether the Petitioner has fulfilled the requirements of the Tamil Nadu Patta Pass-Book Act, 1983 and the rules made therein.

5. In view of the fact that the Petitioner's representation so made in June 2011 and this Court taking note of yet another primordial fact that nearly five years have lapsed from the date of submission of his representation in the subject-matter in issue, this Court, simpliciter, at this stage, in furtherance of substantial cause of justice, directs the Petitioner to submit a fresh representation together with application in prescribed format seeking issuance of patta, strictly adhering to the provisions of Tamil Nadu Patta Pass-Book Act, 1983 and the rules made therein, 1987, within a period of two weeks from the date of receipt of a copy of this order. Thereafter, on receipt of necessary representation and application in the prescribed format, it is for the Respondent/The Tahsildar, Tahsildar's Office, Santhankulam Taluk, Thoothukudi District to act diligently on the same and to pass necessary orders in the subject-matter in issue, within a period of six weeks thereafter. The Respondent is directed to provide necessary opportunity to the Petitioner and others concerned, if any by adhering to the principles of natural justice in true letter and spirit. It is open to the Petitioner to produce copies of all necessary/relevant documents before the Respondent/The Tahsildar, Tahsildar's Office, Santhankulam Taluk, Thoothukudi District so as to enable him to decide the request of the Petitioner for issuance of patta to the land in question. The Petitioner is also directed to lend his assistance and co-operation to the Respondent as regards the disposal of his representation so made, at an early date.

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

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar(CS)

Madurai Bench of Madras High Court,
Madurai-23.

To

The Tahsildar,

Tahsildar's Office, Santhankulam Taluk,
Thoothukudi District.

+1cc to M/s.J.Ashok, Advocate in SR.32687

+1cc to the Special Government Pleader, in SR.32738

W.P (MD) No.11179 of 2016

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