



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.06.2016

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

Writ Petition (MD). No.11416 of 2016

V.Karthik Raja

...Petitioner

Vs.

1.The Tahsildar,
O/o. The Tahsildar,
Melur,
Madurai District.

2.The Village Administrative Officer,
O/o. The Village Administrative Officer,
Vanchinagaram Village,
Melur Taluk,
Madurai District.

...Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus seeking direction to the 1st respondent to change patta of the land situated in Vanjinagaram Village, Melur Taluk, Madurai District in Survey Nos. 116/1A1 , 115/3A and 115/4A admeasuring to an extent of 55 cents, 37 cents and 76 cents on western side respectively into petitioner's name by considering petitioner's application dated 09.05.2016 within the period that may be stipulated by this Hon'ble Court.

For Petitioner :Mr.S.Ajmeer Kaja
for M/s.Ajmal Associates
For Respondents :Mr.S.Kumar
Additional Govt. Pleader

O R D E R

Heard both sides.

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

3. No counter is filed on behalf of the respondents.

4. According to the petitioner, he has filed the present writ petition praying for passing of an order in directing the first respondent/Tahsildar, Melur, Madurai District, to change the patta of the land situated in Vanjinagaram Village, Melur Taluk, Madurai District in Survey Nos. 116/1A1 , 115/3A and 115/4A admeasuring to an extent of 55 cents, 37 cents and 76 cents on western side respectively in his name by considering his application dated 09.05.2016



5. The grievance of the petitioner is that after acquisition of exclusive right over the concerned properties, he made an application before the first respondent/Tahsildar, Melur, Madurai District and requested him to mutate his name in the patta as regards the said properties. Out of the said properties, the first respondent mutated petitioner's name only in the patta in respect of the lands comprised in Sy.Nos.112/1B, 112/2A, 114/1B, 115/1B, 115/2B and 116/1A. As a matter of fact, the first respondent has not mutated petitioner's name in the patta in respect of the rest of the lands comprised in Sy.Nos.116/1A1, 115/3A & 115/4A, measuring an extent of 55 cents, 37 cents and 76 cents on the western side. The paramount grievance of the petitioner is that he projected enormous applications at various point of times before the first respondent requesting to mutate his name in the patta in respect of the lands in question. However, the same has not been acceded to by the first respondent. Therefore, he is constrained to file a fresh application through RPAD, dated 09.05.2016 to the respondent Nos.1 & 2. In spite of the same, no action has been taken on the said application till date.

6. In view of the fact that the petitioner's fresh application (sent through RPAD) dated 09.05.2016 is pending before the 1st and 2nd respondents, at this stage, this Court, simpliciter, directs the first respondent to take up the fresh representation/application of the petitioner dated 09.05.2016 within 4 days from the date of receipt of a copy of this order. Thereafter, it is incumbent on the part of the first respondent/Tahsildar, Melur, Madurai District, to pass necessary, speaking order on merits in the subject matter in issue, after providing requisite opportunity to the petitioner and other interested concerned persons, if any, by adhering to the principles of Natural Justice, within a period of 4 weeks thereafter. Liberty is granted to the petitioner to submit a copy of the fresh application/representation dated 09.05.2016 before the first respondent. It is also abundantly made clear that if the first respondent/Tahsildar, Melur, Madurai District requires that the petitioner is to submit the necessary petition in the prescribed format (seeking for issuance of patta), then, he may require the petitioner to do so and in such an event, the petitioner is to comply with the said requirements of the first respondent, as per Law. The petitioner is directed to lend his helping hand and unstinted co-operation to the first respondent in regard to the disposal of the representation dated 09.05.2016 by the first respondent in a complete and comprehensive manner.

7. With the aforesaid observations and directions, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Records)



To

1.The Tahsildar,
O/o. The Tahsildar,
Melur, Madurai District.

2.The Village Administrative Officer,
O/o. The Village Administrative Officer,
Vanchinagaram Village, Melur Taluk,
Madurai District.

+1cc to M/s.Ajmal Associates, Advocate in SR.33139
+1cc to the Special Government Pleader, in SR.33391

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vs

PBK/SK-SKN 04/07/2016 ::3P-5C::