



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.06.2016

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL

Writ Petition (MD). No.11563 of 2016

P.Radhakrishnan

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai,
Sivagangai District.
- 2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.
- 3.The Tahsildar,
Kalaiyar Kovil,
Sivagangai District.

... Respondents

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the 3rd respondent to change the patta as that of petitioner to the property in survey No.259/16 measuring about 350 Sq.ft. situated in Maravamangalam, Kalaiyarkovil, Sivagangai District on the basis of the petitioner's representation dated 21.06.2016.

For Petitioner : No appearance

For Respondents : Mr.J.Gunaseelan Muthiah
Government Advocate

O R D E R

There is no representation on the side of the petitioner. However, there is representation on the side of the respondents 1 to 3.

2. According to the petitioner, the property in Sy.No.259/16 measuring about 350 sq.ft, situated in Maravamangalam, Kalaiyarkovil, Sivagangai District, originally belonged to one Harikrishnan. As a matter of fact, the said Harikrishnan had purchased the said property from one Sundaraja Chettiar by means of registered sale deed in the month of August 2015. In fact, the petitioner purchased the said property from the said Harikrishnan through a registered sale deed dated 03.06.2015. From the date of purchase, he is in possession and enjoyment of the property. He had decided to enter his name in



the revenue records and in this regard, submitted a representation to the first respondent on 23.11.2015 and the said representation was forwarded to the third respondent for issuance of patta. Thereafter, there is no positive response from the side of the third respondent. Therefore, the petitioner submitted another representation on 21.06.2016 to the 2nd and 3rd respondents to change the patta in respect of the property in question. Even on 23.06.2016, the petitioner approached the third respondent in person, but the same ended in vain.

3. Considering the fact that the petitioner has sought for a limited relief in the main writ petition viz., to consider his representation dated 21.06.2016, this Court, at this stage, without delving deep into the merits and contents of the representation made by the petitioner beginning from 23.11.2015 till 21.06.2016, in the interest of Justice and Fair Play, simpliciter, directs the third respondent/ Tahsildar, Kalaiyar Kovil, Sivagangai District to look into the representation of the petitioner beginning from 23.11.2015 till 21.06.2016, within a period of 2 weeks from the date of receipt of a copy of this order. Thereafter, the third respondent/ Tahsildar, Kalaiyar Kovil, Sivagangai District, shall pass necessary orders on the representations of the petitioner by writing a speaking order on merits in a free, fair, unbiased and dispassionate manner (of course, after providing opportunity to the petitioner and others concerned, by adhering to the principles of Natural Justice) within a period of 4 weeks thereafter. It is made clear that if the third respondent/ Tahsildar, Kalaiyar Kovil, Sivagangai District is in requirement of necessary application in the prescribed format under the Tamil Nadu Patta Passbook Act, 1983 and the Rules made under 1987, then, the petitioner shall be informed accordingly and on receipt of such application, (in the prescribed format), it is open to the third respondent to pass orders in question within the time determined by this Court, as stated supra. It is open to the petitioner to submit necessary copies of records/documents before the third respondent/ Tahsildar, Kalaiyar Kovil, Sivagangai District and on such receipt of records/documents, the third respondent/ Tahsildar, Kalaiyar Kovil, Sivagangai District, shall do the needful in the subject matter in issue.

4. With the aforesaid observations and direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(T & P)

/True Copy/



1.The District Collector,
Sivagangai, Sivagangai District.

2.The Revenue Divisional Officer,
Sivagangai,
Sivagangai District.

3.The Tahsildar,
Kalaiyar Kovil, Sivagangai District.

+1cc to Mr.M.Subash Babu, Advocate Sr.No.34170
+1cc to Spl.Government Pleader Sr.No.33920

vs
AA/GSV-PM/06.07.2016/3p-6c

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