



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 01.08.2016

WEB COPY

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P(MD)No.13604 of 2016

A.Malaiyadiyan

..Petitioner

Vs

The Tahsildar,
Office of the Tahsildar,
Kariapatti Taluk,
Virudhunagar 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 herein to consider the petitioner's representation dated 03.06.2016 seeking for issuance of patta in the name of the petitioner in survey No.2/1 situated in Ariyanenthal Village, Kariapatti Taluk, Virudhunagar District for an extent of 1.76.0 Ares.

For Petitioner : M/s.V.Selva

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.No counter is filed on behalf of the Respondent.

4.According to the Petitioner, he purchased the property situated in Ariyanenthal Village, Kariapatti Taluk, Virudhunagar District in S.No.2/1, measuring an extent of 1.76.0 ares by means of registered sale deed, dated 15.7.2011. Originally, the owner of the property was Mr.Mallaiya Sharma, who is the father of one Mr.Mahalingam. The aforesaid Mahalingam sold the property to him in the year 2011. In this regard, the Petitioner has submitted a representation dated 3.6.2016 to the Respondent for change of patta in his name, in respect of S.No.2/1, situated in Ariyanenthal Village, Kariapatti Taluk, Virudhunagar District and



the same has not yet met with any positive response. Hence the Petitioner has filed the present Writ Petition before this Court.

5. Considering the fact that the Petitioner's representation, dated 03.06.2016 in the subject-matter in issue is pending with the Respondent/The Tahsildar, Office of the Tahsildar, Kariapatti Taluail Virudhunagar District, this Court, in the interest of justice, directs the Respondent to look into the representation of the Petitioner, dated 03.06.2016 within a period of one week from the date of receipt of a copy of this order. Thereafter, the Respondent is directed to dispose of the same in a free, fair, unbiased and dispassionate manner, on merits (of course after providing necessary opportunity to the Petitioner and others concerned, if any, by adhering to the principles of natural justice in true letter and spirit) within a period of three weeks thereafter. It is open to the Petitioner to produce copies of all necessary/relevant documents before the Respondent/The Tahsildar, Office of the Tahsildar, Kariapatti Taluail Virudhunagar District, and the Respondent in-turn shall take into consideration of the same at the time of disposal of the representation of the Petitioner, dated 03.06.2016. The Petitioner is directed to lend his assistance and co-operation in this regard, to the Respondent, in disposing of his representation, dated 03.06.2016, within the time specified by this Court.

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

Sd/-

Assistant Registrar (T & P)

/True Copy/

Sub Assistant Registrar

To

The Tahsildar,
Office of the Tahsildar,
Kariapatti Taluk,
Virudhunagar District.

+1cc Spl. Government Pleader, Advocate Sr.No.40902

vsn

AA/SKS-RR/08.08.2016/2p-3c

W.P (MD) No.13604 of 2016

01.08.2016