



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2016

CORAM

THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P.(MD) No.5266 of 2016

Thangamuthu @ Chinnasamy

.. Petitioner

vs.

1.The District Collector,
Theni District, Theni.

2.The Tahsildar,
Andipatti,
Theni District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the 2nd respondent to survey the petitioners land and place the survey stones comprised in S.No.1022B/3A to an extent of 1 hectare 65 Ares situated at Shanmugasundarapuram Village, Antipatti Taluk , Theni District, based on the petitioner's representation, dated 07.03.2016.

For Petitioner : Mr.P.Sivachandran

For Respondents : Mr.K.Guru
Additional Government Pleader

O R D E R

Heard the Learned counsel for the Petitioner and the Learned Additional Government Pleader appearing for the Respondents.

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

3.It comes to be known that the petitioner had addressed a representation, dated 07.03.2016, seeking issuance of separate patta in his favour. According to him, the joint patta No.2579 in S.No.1022B/3A at Shanmugasundarapuram Village, Antipatti Taluk, Theni District, belongs to him ancestrally by means of a document (admeasuring an extent of 1 hectare 65 Ares).

4.The grievance of the petitioner is that the aforesaid place should be measured and separate patta is to be issued in his favour and that he has paid necessary charges towards patta transfer and also enclosed the payment receipt and antecedent documents.



5. In view of the fact that the petitioner's representation addressed to the second respondent/Tahsildar, Andipatti, Theni District, is pending as on date (without disposal), at this stage, this Court, without expressing any opinion on the merits of the representation of the petitioner, dated 07.03.2016, simpliciter, directs the second respondent to look into the representation of the petitioner, dated 07.03.2016, with a open, free and unbiased mind and to dispose of the said representation, by passing a reasoned speaking orders, on merits within a period of six weeks from the date of receipt of a copy of this order (ofcourse, after providing adequate opportunity to the petitioner and others concerned, if any, by following the principles of natural justice). It is open to the petitioner to produce necessary copies of records/document before the second respondent/Tahsildar, Andipatti, Theni District, and on such production of documents, the second respondent/Tahsildar, Andipatti, Theni District, is to take into account of the same and to dispose of the representation of the petitioner, dated 07.03.2016, within the time specified by this Court, as stated supra.

6. With the aforesaid observations and direction, the writ petition is disposed of. No costs.

Sd/
Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar.

To:

1. The District Collector,
Theni District, Theni.

2. The Tahsildar,
Andipatti,
Theni District.

+1CC to M/S. P.Sivachandran, Advocate, SR.No. 30169
+1CC to the Special Government Pleader, SR.No. 29754

W.P. (MD) No. 5266 of 2016
10.06.2016

rj2
AM/KBM/SAR-I/17.06.2016/1P/5C