



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
Dated: 24.07.2015

C O R A M

THE HONOURABLE MR. JUSTICE S.VAIDYANATHAN

Writ Petition (MD) No.12871 of 2015

M.Vaiyapurai

... Petitioner

Vs

1.The District Collector,
Madurai Collectorate,
Madurai-625 020.

2.The Tahsildar,
Melur Taluk,
Madurai District.

... Respondents

PRAYER:Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, to direct the second respondent to grant patta for the petitioner's property in Survey No.596/9B2 situated at Kunnankudipatti, Karungalakudi Post, Melur Taluk, Madurai District by considering the order of this Court in W.P.(MD) NO.10118 of 2005, dated 12.07.2011, as confirmed by the Division Bench of this Court in W.A.(MD)Nos.324 of 2013 and 377 of 2014, dated 12.09.2014.

For Petitioner

... Mr.M.Kannan

For Respondents

... Mrs.S.Bharathi

Government Advocate

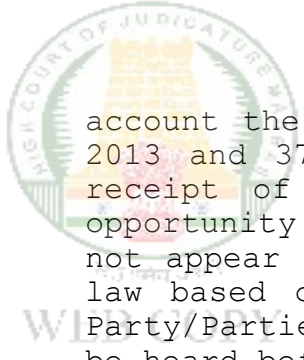
O R D E R

This Writ Petition has been filed, praying for issuance of a Writ of Mandamus, to direct the second respondent to grant patta for the petitioner's property in Survey No.596/9B2 situated at Kunnankudipatti, Karungalakudi Post, Melur Taluk, Madurai District by considering the order of this Court in W.P.(MD)NO.10118 of 2005, dated 12.07.2011, as confirmed by the Division Bench of this Court in W.A.(MD)Nos.324 of 2013 and 377 of 2014, dated 12.09.2014.

2.Mrs.S.Bharathi, learned Government Advocate, takes notice for the respondents and by consent of both parties, the writ petition itself is taken up for final disposal.

3.The learned Counsel appearing on behalf of the petitioner submitted that it would suffice if the representation of the petitioner is disposed of, on merits and in accordance with law, within a time frame to be fixed by this Court.

4.In view of the limited scope of the prayer, without expressing any opinion on the merits of the issue involved, the Tahsildar is directed to consider the request of the petitioner, based on the application made by the petitioner for issuance of patta and shall be considered in accordance with law under the Patta Passbook Act and also taking into



account the orders of this Court dated 12.09.2014, in W.A.(MD)Nos.324 of 2013 and 377 of 2013, within a period of two months from the date of receipt of a copy of this order, after affording the petitioner an opportunity of being heard. If on a specified date the petitioner does not appear for personal hearing, orders may be passed in accordance with law based on the available records after recording the absence of the Party/Parties. The persons, who are likely to be affected are also to be heard before any final decision is to be taken.

5.With the above directions, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar (CO)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Madurai Collectorate, Madurai-625 020.

2.The Tahsildar, Melur Taluk,
Madurai District.

+1cc to MR.M.KANNAN, Advocate in SR.No. 41367
+1CC THE SPECIAL GOVERNMENT PLEADER, IN SR.NO. 41621

Ssl

SR : 05.08.2015 : 2p/5c

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