



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **14.06.2017**

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.(MD)No.11020 of 2017

C.Neelakandan

...Petitioner

-Vs-

1.The District Collector,
Kanyakumari District.

2.The Thasildhar,
Kalkulam Taluk,
Thuckalya,
Kanyakumari District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to issue patta to the petitioner's property situated in resurvey number 19/1 correlated to old survey 10910 B of Thalakulam Village, Kalkulam Taluk, Kanyakumari District to the extent of 0.467 Sq.Links in the light of the decree passed by Principal District Munisf Padmanabhapuram in O.S.No. 498 of 1955 dated 27.06.1997 by considering his representation dated 14.02.2015 and 13.07.2015

For Petitioner : Mr.K.P.Narayana Kumar

For Respondent : Mr.M.Alagathevan, Spl.G.P.

O R D E R

The petitioner has come up with the Writ Petition for issuance of a Writ of Mandamus, directing the respondents to issue patta to the petitioner's property situated in resurvey No.19/1 correlated to old survey No.10910 B at Thalakulam Village, Kalkulam Taluk, Kanyakumari District to the extent of 0.467 Sq.Links in the light of the decree passed by Principal District Munisf, Padmanabhapuram in O.S.No. 498 of 1955 dated 27.06.1997.

2. According to the petitioner, he is the owner of the property comprised in resurvey No.19/1 correlated to old survey 10910 B at Thallakulam Village, Kanyakumari District. The petitioner filed a suit in O.S.No.543 of 1979 for declaration of his right and title over the property. In the meanwhile, the property was classified as a Government proumboku in the resettlement proceedings. The petitioner has claimed his right over the said property by filing the said suit and the same has been confirmed by the competent Civil Court and also by the Appellate Court in A.S.No.35 of 2002. Subsequently, the petitioner gave representations on 14.02.2015 and 13.07.2015 to the respondents to issue patta in favour of the petitioner. Since no order was passed, the present Writ Petition is



filed.

3. Heard both sides and perused the materials available on record.

4. Considering the facts of the case and the submission of the learned Special Government Pleader, the second respondent is directed to consider the petitioner's representations, dated 14.02.2015 and 13.07.2015 and pass orders on merits in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order after providing opportunity to the petitioner and other necessary parties.

5. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Writ)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Kanyakumari District.

2. The Thasildhar,
Kalkulam Taluk,
Thuckalya,
Kanyakumari District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.60592
GNS/PSD
JS/GT/SAR.2/7.7.2017/2P-4C

W.P. (MD) No.11020 of 2017
14.06.2017