



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) .No.11423 of 2017

C.Selvakumar

: Petitioner

vs.

1.The District Collector,
Madurai District.

2.The District Revenue Officer,
Madurai District.

3.The Revenue Divisional Officer,
Madurai,
Madurai District.

4.The Tahsildar,
Vadipatti Taluk,
Madurai District.

: Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to issue joint patta to the legal-heirs of the petitioner's father for the 11 cents of property Survey No2, Neerethan Village, Vadipatti Taluk, Madurai District stands in the name of the petitioner's father, considering the petitioner's representation dated 02.06.2017.

For Petitioner : Mr.D.Ghandiraj

For Respondents : Mr.M.Alagathevan
Spl. Govt. Pleader

O R D E R

By consent of both parties, the writ petition is taken up for final disposal.

2.This writ petition has been filed for issuance of writ of Mandamus directing the respondents to issue joint patta to the legal-heirs of the petitioner's father for 11 cents of property in Survey No.2, Neerethan Village, Vadipatti Taluk, Madurai District
by the representation of the petitioner, dated 02.06.2017.



3. Heard Mr.D.Ghandiraj, learned counsel appearing for the petitioner, Mr.M.Alaga Thevan, learned Special Government Pleader appearing for the respondents.

4. According to the petitioner, his father V.Chinnathampi Reddiar purchased properties in Survey No.1/8A and Survey No.2 of Neerethan Village, Vadipatti Taluk, through a registered sale deed, dated 14.09.1951. Since then, he was in possession and enjoyment of the property. Patta was also granted in respect of Survey No.1/8A in Patta No.363.

5. The petitioner would further state that after purchasing the property, the existing old building was demolished and a new construction was put up in the Survey No.2. The petitioner's father passed away on 05.07.2000 leaving behind the petitioner and other legal heirs. The Revenue Department while conducting survey under UDR scheme failed to issue patta in the name of the legal heirs of Chinnathampi Reddiar and on the other hand, it was shown as Grama Natham. Hence, the petitioner has submitted a representation to the respondents and the last representation was given on 02.06.2017 while conducting Jamapanthi. Since no action was taken, the petitioner has filed the present writ petition.

6. Considering the limited prayer sought for in the writ petition, without going into the merits of the case, this Court directs the fourth respondent to consider the representation of the petitioner, dated 02.06.2017 and pass orders on merits and in accordance with law, after providing necessary opportunities to the parties, within a period of eight weeks from the date of receipt of a copy of this order.

7. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1. The District Collector,
Madurai District.

2. The District Revenue Officer,
Madurai District.

<https://hcma.courtservicessolutions.com/>
3. The Regional Divisional Officer,
Madurai,
Madurai District.



4.The Tahsildar,
Vadipatti Taluk,
Madurai District.

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+1cc to M/S.D.GOMATHI RAJ, Advocate SR.No.61846

+1cc to Special Government Pleader, SR.No.61477

am

MAS/MR-KKR/SAR1:11.07.2017:3P-7C

W.P (MD) No.11423 of 2017
21.06.2017