



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 05.07.2017
CORAM:
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM
W.P. (MD) No.12400 of 2017

WEB COPY

K.Alagusundaram

... Petitioner

Vs.

1.The District Collector,
Sivagangai,
Sivagangai District.

2.The Revenue Divisional Officer/Sub Collector,
Devakottai, Sivagangai District.

3.The Tahsildhar,
Tiruppathur Taluk,
Sivagangai District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to dispose the petition in Na.Ka.A1/7301/2016, dated 17.10.2016 on the file of the 2nd respondent in respect of granting patta to the petitioner's land in Natham Survey No.337/5, 337/6 and 337/23 to the extent of 6 ½ cents situated at Aabatharanapatti village, Eriyur Post, Thiruppathur Taluk, Sivagangai District within the stipulated time fixed by this Court.

For Petitioner	: Mr.S.T.Sasidharan Tamilkani
For Respondents	: Mr.C.Selvaraj Special Government Pleader

O R D E R

This Writ Petition is filed for the issuance of a Writ of Mandamus directing the second respondent to dispose the petition in Na.Ka.A1/7301/2016, dated 17.10.2016 in respect of granting patta to the petitioner's land in Natham Survey No.337/5, 337/6 and 337/23 to an extent of 6½ cents situated at Aabatharanapatti village, Eriyur Post, Thiruppathur Taluk, Sivagangai District within the stipulated time.

2. Mr.C.Selvaraj, learned Special Government Pleader takes notice on behalf of the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage



3.The case of the petitioner is that his father had put up a thatched house to an extent of 6-1/2 cents in survey No.337/5, 337/6 and 337/23 at Aabatharanapatti village, Eriyur Post, Thiruppathur Taluk, Sivagangai District. After his demise, the petitioner had demolished the said thatched house and put up a new construction with approval of the Commissioner, Panchayat Union, Singampunari. Subsequently, he has also been paying house tax and also electricity charges to the department since 1997.

4.It is the further case of the petitioner that the revenue authorities wrongly entered the land as natham vacant site. Hence, he preferred a representation to third respondent in person seeking issuance of patta. Since no action was taken, the petitioner gave a petition to the second respondent on 17.10.2016. Even thereafter, no action was taken. Hence, the present writ petition is filed.

5.Mr.C.Selvaraj, learned Special Government Pleader would submit that the petitioner has to submit an application in a proper format to the third respondent along with necessary fees. If the petitioner complies the requirement, it would be considered.

6.Considering the limited scope of the prayer sought for in this writ petition and considering the submission of the learned Special Government Pleader appearing for the respondents, this writ petition is disposed of with a direction to the petitioner to submit an application in a proper format to the third respondent along with necessary fees, within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the third respondent shall consider the same and pass appropriate orders on merits and in accordance with law, after providing opportunity of hearing to the petitioner as well as interested parties, if any, within a period of eight weeks, thereafter. No costs.

Sd/-

Assistant Registrar(CS-II)

/ True Copy \

Sub Assistant Registrar

To:

1.The District Collector,

Sivagangai,Sivagangai District.

2.The Revenue Divisional Officer/Sub Collector,

Devakottai, Sivagangai District.

3.The Tahsildhar,

Tiruppathur Taluk,Sivagangai District.

+1 CC TO MR.S.T.SASIDHARAN TAMIL KANI, ADVOCATE,SR NO.63787

+1 CC TO SPECIAL GOVERNMENT PLEADER SR NO.63717

vsg

MAS/MR-KKR/SAR2:20.07.2017:2P-6C