



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.07.2017

CORAM:

**THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM**

W.P. (MD) No.12900 of 2017

Chockalingam

...Petitioner

Vs.

1.The District Collector,  
Sivagangai District.

2.The Tahsildar,  
Thiruppathur 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 issue patta for survey No.228/4A for an extent of 1 acre 77½ cents (0.77.0 Ares) situated at Sevoor Village, Thiruppathur Taluk, Sivagangai District within a time frame.

|                 |                            |
|-----------------|----------------------------|
| For Petitioner  | :Mr.D.Venkatesh            |
| For Respondents | :Mr.C.Selvaraj             |
|                 | Special Government Pleader |

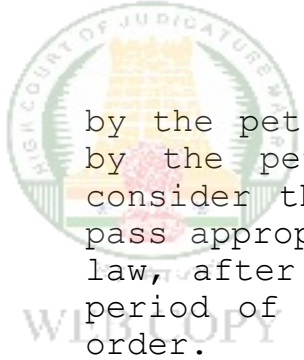
### **ORDER**

The prayer sought for in this writ petition is for the issuance of a Writ of Mandamus directing the second respondent to issue patta for survey No.228/4A for an extent of 1 acre 77½ cents (0.77.0 Ares) situated at Sevoor Village, Thiruppathur Taluk, Sivagangai District.

2. Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that he instituted a suit in O.S.No.8 of 1991 as against his father and brothers seeking partition and a similar suit was filed by his father in O.S.No.71 of 1991. The preliminary decree was passed in the suit filed by the petitioner on 26.09.1994 and the final decree was passed in I.A.No.146 of 1996 on 10.11.1997. Subsequently, the petitioner filed an application to the second respondent on 13.02.2017 for issuance of patta based on the decree passed by the Civil Court. Since no action was taken by the second respondent, the petitioner sent a representation to the first respondent on 08.05.2017. Even thereafter, no order was passed. Hence, the present writ petition

4. Considering the limited scope of the prayer sought for



by the petitioner, without going into the merits of the claim made by the petitioner, this Court directs the second respondent to consider the representation of the petitioner dated 13.02.2017 and pass appropriate orders on the same on merits and in accordance with law, after providing opportunity to all necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To:

1.The District Collector,  
Sivagangai District.

2.The Tahsildar,  
Thiruppathur Taluk,  
Sivagangai District.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No.65635

+1cc to Mr.D.VENKATESH Advocate in SR. No.65157

VSG/SKN

JS/GT/SAR.2/2.8.2017/2P-5C

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