



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P (MD) No.16097 of 2017

Ramasubramanian

.. Petitioner

Vs.

1. The District Revenue Officer,
Virudhunagar District, Virudhunagar.

2. The Revenue Divisional Officer,
Saathur, Virudhunagar District.

3. The Tahsildar, Rajapalayam,
Virudhunagar District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to issue patta in the name of the petitioner for the property situated at Survey No.1101/1, Resurvey No.1682/16, Melarajakularaman Village, Rajapalayam Taluk, as per the recommendation made by the second respondent in Mu.Mu.A3/1183/2016, dated 23.03.2017, within the stipulated time as fixed by this Court.

For Petitioner : Mr.R.Nireshkumar

For Respondents : Mr.G.Muthukannan,
Government Advocate.

ORDER

This writ petition is filed seeking a writ of Mandamus to direct the respondents to issue patta in the name of the petitioner for the property situated at Survey No.1101/1, Resurvey No.1682/16, Melarajakularaman Village, Rajapalayam Taluk, as per the recommendation made by the second respondent in Mu.Mu.A3/1183/ 2016, dated 23.03.2017, within the time stipulated by this Court.

2.Mr.G.Muthukannan, learned Government Advocate, takes notice for the respondents. By consent of both the parties, this writ petition is taken up for hearing at the stage of admission itself.



3. Heard both sides.

4. The case of the petitioner is that he purchased a property to an extent of 0.0095.0 square metre situated at Survey No.1101/1, Resurvey No.1682/16, Melarajakularaman Village, Rajapalayam Taluk, through a registered sale deed, dated 13.01.2009 and he is in possession and enjoyment of the same. Since the patta stood in the name of Baladhandaudhapani Thirukoil, he made a representation to the third respondent and the third respondent after conducting a detailed enquiry, sent a communication dated 24.05.2014 to the second respondent recommending to issue patta in favour of the petitioner in respect of the said property and the second respondent also passed a detailed order dated 23.03.2017, recommending to issue patta in favour of the petitioner. The grievance of the petitioner is that since there was no progress on the side of the respondents, the petitioner gave a reminder/representation dated 27.07.2017 to the first respondent and the same has also not been considered. Therefore, the petitioner is before this Court.

5. The learned counsel for the petitioner would submit that it would suffice, if the representation of the petitioner dated 27.07.2017, is disposed of by the first respondent, in the light of the order dated 23.03.2017, passed in Mu.Mu.A3/1183/ 2016, by the second respondent.

6. Considering the limited scope of the relief sought for, this Court, without going into the merits of the petitioner's claim, directs the first respondent to consider the representation of the petitioner dated 27.07.2017, in the light of the order dated 23.03.2017 passed in Mu.Mu.A3/1183/ 2016 by the second respondent and pass appropriate orders on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioner as well as any of the interested parties, within a period of six weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of as above. No costs.

Sd/-

Assistant Registrar(RTI)

/True Copy/

Sub Assistant Registrar

To

<https://hcservice.sherlock.digitalservices.in> Revenue Officer,
Virudhunagar District, Virudhunagar.



2. The Revenue Divisional Officer,
Saathur, Virudhunagar District.

3. The Tahsildar,
Rajapalayam,
Virudhunagar District.

+1cc to Mr.R.Niresk kumar, Advocate in SR.No.75075

smn

AE/MR KKR/SAR2/31.08.2017/3P/5C

ORDER MADE IN
W.P (MD) No.16097 of 2017
28.08.2017