



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **11.09.2017**

CORAM:

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

W.P. (MD) No.17074 of 2017

WEB COPY

Selvaraj

...Petitioner

-Vs-

1.The District Collector,
Pudukottai District.

2.The District Revenue Officer,
Pudukottai District.

3.The Thasildhar,
Pudukottai Taluk,
Pudukottai 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 dispose the petitioner's representation, relating with the issuance of patta to him to his property, measuring 0.02.5 Ares in S.No.184/1 in Athanakottai Village in Pudukottai Taluk as accordance with law within a period to be fixed by this Court.

For Petitioner : Mr.R.Suriyanarayanan

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

ORDER

The prayer in the Writ Petition is for issuance of a Writ of Mandamus directing the respondents to dispose the petitioner's representation for transfer of patta.

2.Mr.G.Muthukannan, learned Government Advocate takes notice on behalf of the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.The petitioner would claim that his father along with one Subbiah purchased the land measuring to an extent of 0.02.5 Ares in S.No.184/1 in Old S.No.184/4C situated at Athanakottai village, Pudukottai Taluk by a registered sale deed dated 18.11.1968. Subsequently, mutation in the revenue records had taken place. He would further claim that the co-purchaser, namely, the said



Subbiah passed away and even before his demise, the property was released in favour of the petitioner's father.

4. It is further claimed that the petitioner's father passed away, thereafter, he inherited the property and enjoying the same. He gave an application on 31.12.2015 to issue patta. As there was no favourable order, he sent a representation on 29.05.2017 to transfer the patta in his favour. Since no action was taken, the present writ petition.

5. Mr. G. Muthukannan, learned Government Advocate would submit that now the land is classified as Government Tharisu and the representation of the petitioner has to be considered by the second respondent.

6. In view of the above submission, this Court, without going into the merits of the matter, directs the petitioner to give a fresh representation to the 2nd respondent enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the second respondent is directed to consider the said representation and pass appropriate orders on merits and in accordance with law, after providing opportunity to all necessary parties, within a period of twelve weeks, thereafter.

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

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Pudukottai District.

2. The District Revenue Officer,
Pudukottai District.

3. The Thasildhar,
Pudukottai Taluk, Pudukottai District.

+1cc to M/S. R. SURIYA NARAYANAN, Advocate SR.No. 77903

+1cc to Special Government Pleader, SR.No. 78298

skn

JS/SV-MMS/SAR1:22.09.2017:2P-6C