



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.09.2017

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P (MD) No.17628 of 2017

WEB COPY

The Devakottai Municipality,
Rep. by its Commissioner,
Devakottai,
Sivagangai District.

... Petitioner

-vs-

1. The District Revenue Officer,
O/o.the Collectorate,
Sivagangai,
Sivagangai District.
2. The Special Tahsildar (Land Settlement),
O/o.the Special Tahsildar,
Taluk Office, Devakkottai,
Sivagangai District.
3. The Town Surveyor,
O/o.the Special Tahsildar,
Taluk Office, Devakkottai,
Sivagangai District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the 2nd and 3rd respondents to transfer the patta in the name of Devakkottai Municipality in respect of the property mentioned in the proceedings of the writ petitioner in Na.Ka.No.1527/2017/F1 dated 06.06.2017 in pursuant to the proceedings passed by the 2nd respondent vide Na.Ka.A1/48/2017 dated 07.08.2017 within the period that may be stipulated by this Honble Court.

For Petitioner : Mr.H.Mohamed Imran

For Respondents : Mr.C.Selvaraj
Spl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking to direct the 2nd and 3rd respondents to transfer the patta in the name of Devakkottai Municipality in respect of the property mentioned in the proceedings of the writ petitioner in Na.Ka.No.1527/2017/F1 dated 06.06.2017 in pursuant to the proceedings passed by the 2nd respondent vide Na.Ka.A1/48/2017 dated 07.08.2017.

<https://hcservices.ecourts.gov.in/hcservices/>

2. Heard the learned counsel for the petitioner and the



learned Special Government Pleader appearing for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3. The case of the petitioner Municipality is that pursuant to the decree and judgment dated 13.12.1996 passed in S.A.Nos.1807, 1808 and 1845 of 1986, the properties in question would come within the jurisdiction of the petitioner Municipality. Since the patta has not been changed, the Municipality sent a representation to the 2nd respondent for subdivision and the same was duly forwarded to the 3rd respondent on 07.08.2017 for further action. Since there was no progress thereafter, the petitioner is before this Court with the above prayer.

4. Considering the facts and circumstance of the case and also taking into account the limited scope of the relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the respondent Nos.2 & 3 to consider the application/representation of the petitioner dated 06.06.2017 and pass suitable orders regarding subdivision and issuance of patta on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order in the light of the proceedings of the 2nd respondent dated 07.08.2017.

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

Sd/-

Assistant Registrar (CS-I)

/True copy/

Sub Assistant Registrar

To:

1. The District Revenue Officer,
O/o.the Collectorate,
Sivagangai,
Sivagangai District.
2. The Special Tahsildar (Land Settlement),
O/o.the Special Tahsildar,
Taluk Office, Devakkottai,
Sivagangai District.
3. The Town Surveyor,
O/o.the Special Tahsildar,
Taluk Office, Devakkottai,
Sivagangai District.

+1cc to Mr.T.MOHAMMED IMRAN, Advocate, SR. 79894

+1cc to M/S.Special Government Pleader, SR. 80363

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