



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2017

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVANW.P. (MD) No. 18436 of 2017

WEB COPY

Mani

... Petitioner

Vs.

1. The District Collector,
Tiruchirappalli.2. The Tahsildhar,
Thuraiyur,
Trichy District.

... Respondents

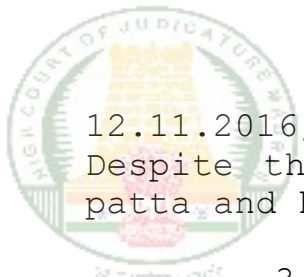
PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to grant patta in the name of the petitioner for the extent of 15.5 cents in old Natham Survey No.365/1 (New No.689/34) in Kannanur Village, Thuraiyur Taluk, Tiruchy District.

For Petitioner : Mr.H.Lakshmi Shankar
For Respondents : Mr.M.Alagathevan,
Special Government Pleader

ORDER

The writ petition has been filed by the petitioner seeking a Writ of Mandamus directing the respondents to grant patta in his name, in respect of the property in old Natham Survey No.365/1 (New No.689/34) in Kannanur Village, Thuraiyur Taluk, Trichy District.

2. According to the petitioner, he had purchased the property in question by a registered sale deed dated 05.03.1991 and a decree had also been obtained in his favour, on 31.07.2000. Challenging the same appeals were preferred, which also ended in his favour. Thereafter, the petitioner approached the authorities seeking patta in his name and as his request failed to meet its result, the petitioner was constrained to file W.P(MD)No.2385 of 2009, wherein, this Court, by order dated 15.04.2009, directed the respondents to consider his representation and pass orders within a period of three months. It is the further case of the petitioner that the respondents, instead of granting patta, were interfering with his possession, again and aggrieved thereby, the petitioner has preferred an Execution Petition before the lower Court, which was later referred to Lok Adalat and an order was passed on



12.11.2016, directing the respondents to strictly obey the decree. Despite the same, the respondents had not come forward to issue patta and hence, the petitioner is before this Court, again.

3. Though the prayer in this writ petition is for a larger relief, the learned Counsel for the petitioner now confines his prayer to the effect that his representation dated 20.03.2017, shall be disposed of by the respondents, in the manner known to law, within a stipulated time period.

4. Heard the learned Counsel appearing for the petitioner as well as the learned Special Government Pleader appearing for the respondents.

5. This Court is of the view that the inaction on the part of the respondents, even after issuance of repeated directions, could not be countenanced. Under such circumstances, this Court, without going into the merits of the petitioner's claim, directs the respondents to consider the representation of the petitioner dated 20.03.2017 and pass appropriate orders, in one way or the other, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as all the interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order.

6. 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,
Tiruchirappalli.

2. The Tahsildhar,
Thuraiyur,
Trichy District.

+ 1 CC TO MR.H.Lakshmi Shankar, ADVOCATE IN SR No.82284
MK/JC/SAR-1/24.10.2017/2P/4C

W.P. (MD) No.18436 of 2017
10.10.2017