



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.21012 of 2017

S.S.Damodaran

... Petitioner

-VS-

1. The District Collector,
Theni District.

2. The Special Thasildhar,
Town Settlement Scheme , Theni,
O/o.Thasildhar, Theni District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to issue a separate patta in the petitioner's name and his mother's name for the property measuring 54 Cents out of 1 Acre 9 Cent in S.No.166/5 and 1 Acre 88 Cents in S.No.176/4 in Theni, Allinagaram Village according to the sale deed dated 22.04.1987 by disposing his representation dated 31.05.2017 in accordance with law.

For Petitioner : Mr.R.Suriyanarayanan

For Respondents : Mr.T.S.Mohammed Mohideen
Addl. Govt. Pleader

O R D E R

This writ petition has been filed, seeking to direct the 2nd respondent to issue a separate patta in the names of his father and mother for the property, measuring 54 Cents out of 1 Acre 9 Cent in S.No.166/5 and 1 Acre 88 Cents in S.No.176/4 in Theni, Allinagaram Village as per the Sale Deed dated 22.04.1987 on the basis of the representation dated 31.05.2017 in accordance with law.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing 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 there is neither civil suit nor rival claim whatsoever pending in respect of the property in question and as such, he has submitted a representation dated 31.05.2017 to the concerned authority for issuance of a separate patta. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.

4. Considering the facts and circumstances 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 2nd respondent to consider the application/representation of the petitioner dated 31.05.2017 and pass suitable orders thereon on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner and other interested parties, if any.

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

Sd/-

Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar

To:

1. The District Collector,
Theni District.
2. The Special Thasildhar,
Town Settlement Scheme , Theni,
O/o.Thasildhar, Theni District.

+ 1 cc TO Mr.R.Suriyanarayanan , Advocate in SR No. 87383

+ 1 cc TO The Special Government Pleader in SR No. 87967

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AE/MR KKR/SAR4/28.11.2017/2P/5C

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