

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 28.11.2017**

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P (MD) No.21895 of 2017**

K.Mariyappan

... Petitioner

Vs.

1. The District Collector,
Tirunelveli District,
Tirunelveli.

2. Nagammal

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st Respondent to restore petitioner's patta for his property in Plot No.29, measuring 00097 sq.mtr. in Block No.460 Boganallur Village, Kadayanallur Taluka, Tirunelveli Dist, in Aa3/4392/2012 dated 30.06.2012, by considering petitioner's representation dated 13.11.2017.

For Petitioner
For Respondents

: Mr.A.Haja Mohideen
: Mr.J.Gunaseelan Muthiah,
Government Advocate for R.1

O R D E R

By consent, this writ petition itself is taken up for final disposal.

2. Mr.J.Gunaseelan Muthiah, learned Government Advocate, takes notice for the first respondent. Notice to the second respondent is dispensed with, as no adverse order is going to be passed against her and opportunity of hearing will be provided, by the authorities concerned, at the time of hearing.

3. According to the petitioner, the property in question was allotted to him, by the District Collector, Tirunelveli in the year 2012. Thereafter, using his earnings, the petitioner has started constructing a house in the said land and at this juncture, the authorities started interfering with and when the petitioner questioned the same, he was informed that the patta issued in his name has already been cancelled and issued in the



name of the second respondent. It is the specific case of the petitioner that without any prior intimation or notice, whatsoever, such an act took place and aggrieved over the same, the petitioner has submitted a representation dated 13.11.2017, before the first respondent seeking to restore the patta in his name. As the same is kept pending, without any action, the petitioner is before this Court.

4. When the matter is taken up for hearing today, the learned counsel for the petitioner submitted that it would be suffice, if the representation of the petitioner dated 13.11.2017 is disposed of, by the first respondent, as per law, within a stipulated time limit.

5. 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 13.11.2017 and pass appropriate orders, on its own merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the second respondent as well as all the other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS-II)

/True Copy/

Sub Assistant Registrar

To

The District Collector,
Tirunelveli District,
Tirunelveli.

+1cc to Spl.Government Pleader Sr.No.90222
+1cc to Mr.A.Haja Mohideen, Advocate Sr.No.89739

GK

VB/JC/SAR1/12/12/2017/2P/4C

W.P(MD)No.21895 of 2017
28.11.2017