



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.11.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.22096 of 2017

D.Jothilingam

... Petitioner

-VS-

1. The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District.

2. The Inspector,
Land Survey (Maintenance),
Thoothukudi Division,
Thoothukudi District.

... 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 consider the recommendation of the 2nd Respondent dated 11.10.2017 and thereby issue Patta in respect of the property in S.No.319/4A1A1A situated at Koottudankadu Village, Thoothukudi Taluk, Thoothukudi District within a time framed fixed by this Honble Court.

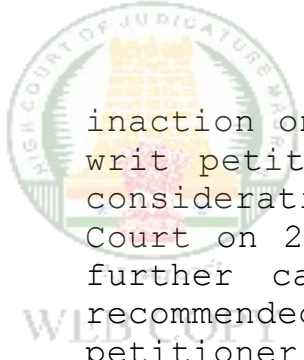
For Petitioner : Mr.A.Vadivel
For R1 & R2 : Mr.J.Gunaseelan Muthiah
Govt. Advocate

O R D E R

This petition has been filed, seeking to direct the 1st respondent to consider the recommendation of the 2nd Respondent dated 11.10.2017 and thereby issue Patta in respect of the property in S.No.319/4A1A1A situated at Koottudankadu Village, Thoothukudi Taluk, Thoothukudi District.

2. Mr.J.Gunaseelan Muthiah, the learned Government Advocate takes notice 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 is that he had submitted a representation dated 07.04.2017 to the 1st respondent for subdivision of his land and grant of patta and pursuant to the



inaction on the part of the 1st respondent, he was forced to file a writ petition in W.P.(MD) No.9974 of 2017 before this Court for consideration of his representation, which was disposed of by this Court on 25.05.2017, by granting the relief sought for. It is the further case of the petitioner that though the 2nd respondent recommended to the 1st respondent for issuance of patta to the petitioner on 11.10.2017, no action has been taken so far, aggrieved by which, the petitioner is before this Court with the above prayer.

4. The learned Government Advocate appearing for the respondents 1 & 2 would submit that if a reasonable time is granted to the 1st respondent, the claim of the petitioner will be considered and appropriate orders be passed.

5. 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 first respondent to consider the request of the petitioner in respect of grant of patta 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, in the light of the recommendation of the 2nd respondent dated 11.10.2017.

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

Sd/-

Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

To:

1. The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District.
2. The Inspector,
Land Survey (Maintenance),
Thoothukudi Division,
Thoothukudi District.

+ 1 cc TO Mr.A.Vadivel , Advocate in SR No. 90366
+ 1 cc TO The Special Government Pleader in SR No. 90720

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AE/SV MMS/SAR2/08.12.2017/2P/5C