

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 10.02.2017

CORAM :

THE HONOURABLE MR.JUSTICE **M.S.RAMESH****W.P.(MD)No.2278 of 2017**

Kunjan

... Petitioner

vs.

1. The District Collector,
Pudukkottai District,
Pudukkottai.

2. The Tahsildar,
Kulathur Taluk,
Pudukkottai District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the second respondent to conduct the enquiry in connection with issuance of Patta in the name of petitioner, based on the petitioner's representation dated 07.04.2016 at the earliest.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents : Mr.T.S.Mohamed Mohideen
Additional Government Pleader

O R D E R

By consent of both parties, the writ petition itself is taken up for final hearing.

2. The case of the petitioner is that the lands comprised in Survey Nos.23/3, 23/43, 25/2C, 25/2D, 35/2, 22/4A, 24/4A, 25/2E and 27/5B are the ancestral properties of the petitioner. On 17.09.2008, the said property was partitioned among the co-sharers viz., Velu Rangiyapriyar, Packiyathammal and their sons viz., Ramachandran, Kunjan, Murugan and Sivasamy. Pursuant to the partition, the petitioner is in possession of his allotted share. When the petitioner had sought for issuance of Patta in his favour through an application dated 07.04.2016, the respondents have not passed orders on the same and hence, the present writ petition has been filed.

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

3. In view of the limited prayer sought for in the writ



petition, without going into the merits of the claim made by the petitioner, there shall be a direction to the second respondent to consider the petitioner's representation, dated 07.04.2016, on its own merits and conduct appropriate proceedings as contemplated under the Patta Passbook Act and pass orders in accordance with law, within a period of 12 weeks from the date of receipt of a copy of this order. The second respondent, while conducting the proceedings, shall issue notice to all the interested parties in the subject lands.

4. With the above direction, the writ petition stands allowed.
No costs.

Sd/-
Assistant Registrar(CO)

/True Copy/

Sub Assistant Registrar

akv

To

1. The District Collector,
Pudukkottai District, Pudukkottai.
2. The Tahsildar,
Kulathur Taluk,
Pudukkottai District.

+1cc to Mr.P.Ganapathi Subramanian, Advocate Sr.No. 7651

+1cc to Spl.Government Pleader Sr.No. 7941

JAM/03.03.17 /RSK/2p-5c

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