



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2017

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THE HONOURABLE MR.JUSTICE R.MAHADEVANW.P.(MD)No.23068 of 2017 and
W.M.P.(MD) No.19377 of 2017

K.Karakkal

... Petitioner

-vs-

1. THE DISTRICT COLLECTOR,
RAMANATHAPURAM DISTRICT,
RAMANATHAPURAM.
2. THE TAHASILDAR,
PARAMAKUDI TALUK OFFICE,
PARAMAKUDI,
RAMANATHAPURAM DISTRICT.
3. THE SUPERINTENDING ENGINEER,
PUBLIC WORKS DEPARTMENT,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.
- 4.N.GOPALAKRISHNAN

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to issue patta in respect of the property in Town Survey No.29 situated in Perumal Kovil Street, Paramakudi, Ramanathapuram District.

For Petitioner : Mr.P.Gunasekaran

For R1 to R3 : Mr.M.Alagathevan
Spl. Govt. Pleader

O R D E R

This petition has been filed, seeking for issuance of a writ of Mandamus, directing the respondents 1 to 3 to issue patta in respect of the property in Town Survey No.29 situated in Perumal Kovil Street, Paramakudi, Ramanathapuram District.

2. Mr.M.Alagathevan, learned Special Government Pleader takes notice for the respondents 1 to 3. Notice to R4 is dispensed with, as no adverse order is going to be passed against R4 in this petition. 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 04.12.2017 to the concerned authority for issuance of a 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 respondents, more particularly R2, to consider the application/representation of the petitioner dated 04.12.2017 and pass suitable orders regarding issuance of patta on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner, R4 and other interested parties, if any.

5. With the above direction, this petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub-Assistant Registrar

To:

1. THE DISTRICT COLLECTOR,
RAMANATHAPURAM DISTRICT,
RAMANATHAPURAM.
2. THE TAHASILDAR,
PARAMAKUDI TALUK OFFICE,
PARAMAKUDI,
RAMANATHAPURAM DISTRICT.
3. THE SUPERINTENDING ENGINEER,
PUBLIC WORKS DEPARTMENT,
RAMANATHAPURAM,
RAMANATHAPURAM DISTRICT.

+One cc to Mr.P.Gunasekaran, Advocate, SR.No.93022

+One cc to The Special Government Pleader, SR.No.93365

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RL/6C/2P/KK/SAR1/4/1/2018

W.P.(MD) No.23068 of 2017