



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD) No.23698 of 2017

and

WMP(MD)No.19907 of 2017

Jahir Hussain

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Revenue Divisional Officer,
Kodaikanal,
Dindigul District,

3.The Thasildar,
Kodaikanal Taluk,
Dindigul District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to issue patta to the petitioner in S.No.438/3 to the extent of 47 cents of Villpatti Village Group, Kodaikanal Taluk, Dindigul District.

For Petitioner	: Mr.V.Kannan
For Respondents	: Mr.T.S.Mohamed Mohideen, Additional Government Pleader

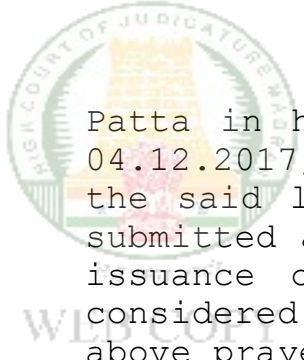
O R D E R

This writ petition has been filed, seeking to direct the third respondent to issue patta to the petitioner in S.No.438/3 to the extent of 47 cents of Villpatti Village Group, Kodaikanal Taluk, Dindigul District.

2. Mr.T.S.Mohamed Mohideen, learned Additional Government Pleader takes notice for the respondents.

3. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

4. The case of the petitioner is that the property in question is a Government waste land. Since, the petitioner is a landless poor, he approached the Revenue Officials and requested them to permit him to cultivate vegetables in the said land and on ~~the said land~~ the petitioner is enjoying the said land from the year 2000 onwards. Subsequently, in the year 2002, he has submitted an application to the respondents to issue an Assignment



Patta in his name. But instead of issuing Assignment Patta, on 04.12.2017, the third respondent directed the petitioner to vacate the said land within a period of one month. Thereafter, he has submitted a representation dated 05.12.2017 to the respondents for issuance of Patta. Since the said representation has not been considered so far, the petitioner is before this Court with the above prayer.

5. When the matter is taken up for hearing today, the learned Counsel appearing for the petitioner submitted that it would suffice, if his representation dated 05.12.2017 is disposed of by the third respondent, on merits.

6. 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, the third respondent, to pass appropriate orders on the application/representation of the petitioner dated 05.12.2017, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner as well as other interested parties, if any, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar

To:

- 1.The District Collector,
Dindigul District, Dindigul.
- 2.The Revenue Divisional Officer,
Kodaikanal,
Dindigul District.
- 3.The Thasildar,
Kodaikanal Taluk,
Dindigul District.

+1cc to M/S.V.Kannan, Advocate SR.No. 94638

+1cc to Special Government Pleader, SR.No. 94843

W.P (MD) No.23698 of 2017

21.12.2017