



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 24.03.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE V.PARTHIBANW.P(MD)No.4507 of 2017

Kasimalli Saibu

..Petitioner

Vs

1.The District Collector,
Madurai District Collector Office,
Madurai.

2.The Tahsildar,
Madurai South Tahsildar Office,
Madurai District Collector Office,
Madurai.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to consider the Petitioner's application, dated 18.2.2009 within the time stipulated by this Court.

For Petitioner :M/s.B.Sukumar

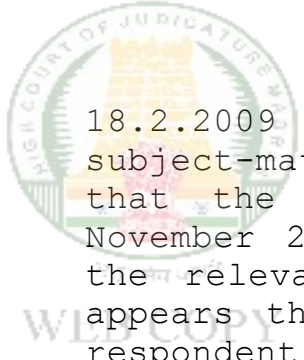
For Respondents :Mr.D.Muruganandam
Additional Government Pleader

ORDER

The Petitioner has approached this Court seeking issuance of a Writ of Mandamus directing the second respondent to consider the Petitioner's application, dated 18.2.2009 within the time stipulated by this Court.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.According to the Petitioner, the Petitioner has purchased the property situated in Survey Nos.161/3, measuring an extent of 11 cents out of 90 cents in Thanakkankulam Village on 28.3.1975. Ever-since the date of purchase of the property, the Petitioner has been in peaceful possession and enjoyment of the property without any hindrance. In such circumstances, the Petitioner said to have been made a representation to the second respondent on



18.2.2009 for grant of patta in his name in respect of the subject-matter property. In response to the Petitioner, it appears that the second respondent had enquired into the matter in November 2010. In the enquiry, the Petitioner had submitted all the relevant documents in support of his claim. However, it appears that no further action has been taken by the second respondent on the claim made by the Petitioner. In fact, according to the Petitioner, the first respondent has issued a communication, dated 8.8.2011 to the second respondent to issue patta in the name of the Petitioner. In fact, even on 18.02.2016 the Petitioner has made another representation to the respondents. But till date no action has been taken by the respondents nor any communication has been addressed to the Petitioner. Hence the Petitioner has come forward with this Writ Petition for the relief stated supra.

4.The learned Additional Government Pleader appearing for the respondents has no objection to consider the representation of the Petitioner within the time limit stipulated by this Court.

5.Considering the limited scope of the prayer sought for by the Petitioner herein and since the learned Additional Government Pleader has no objection to consider the claim made by the Petitioner, the Second respondent is directed to consider the representation of the Petitioner, dated 18.2.2009 followed by another representation, dated 18.2.2016 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, if any, within a period of six weeks from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition stands disposed of . No costs.

Sd/-

Assistant Registrar(CSI)

/True Copy/

Sub-Assistant Registrar

To

1.The District Collector,

Madurai District Collector Office, Madurai.

2.The Tahsildar, Madurai South Tahsildar Office,

Madurai District Collector Office, Madurai.

+One cc to The Special Government Pleader, SR.No.18092

vsn

RL/4C/2P/SKN/6.4.2017