



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2017

WEB COPY

CORAM:

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P. (MD) No.4868 of 2017

Isakki @ Isakkiammal

: Petitioner

Vs.

1. The District Collector,
Office of the District Collector
Tirunelveli District,
Tirunelveli.
2. The District Revenue Officer,
Tirunelveli District,
Tirunelveli.
3. The Revenue Divisional Officer,
Office of the District Collector,
Tirunelveli Town.
4. The Tahsildar,
Kadayanallur Taluk,
Tirunelveli District.

: Respondents

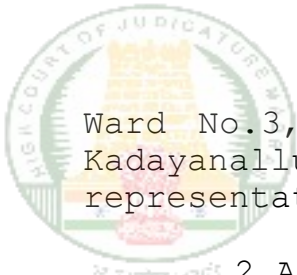
Prayer : This Petition filed under Article 226 of Constitution of India for the issuance of Writ of Mandamus directing the fourth respondent to issue patta in favour of the petitioner's name in respect of the property measuring 448.0625 sq.ft in Natham Survey No.999/3, 8th street, Ilaivaniyarkudi Muddukku Street, Ward No.3, New Ward No.6, Puliyangudi Town, Chinthamani village, Kadayanallur Taluk, Tirunelveli District, based on the petitioner's representation dated 30.01.2017.

For Petitioner : Mr.N.Madhava Govindian

For Respondent : Mr.M.Alagadevan S.G.P.,

O R D E R

This writ petitioner has approached this Court seeking for issuance of a Writ of Mandamus directing the fourth respondent to issue patta in favour of the petitioner's name in respect of the property measuring to an extent of 448.0625 sq.ft, comprised in Natham Survey No.999/3, 8th street, Ilaivaniyarkudi Muddukku Street,



Ward No.3, New Ward No.6, Puliyangudi Town, Chinthamani village, Kadayanallur Taluk, Tirunelveli District, based on her representation, dated 30.01.2017.

2. According to the petitioner, she is the owner of the above mentioned property. The property has been purchased by her by a registered sale deed in the year 2007 and she has been enjoying the same in a peaceful manner from the date of purchase. In the said circumstances, the petitioner is said to have been made a representation on 30.11.2016 for issuing patta to her and the same was not considered. Therefore, the petitioner constrained to approach this Court in W.P(MD)No.24684 of 2016 directing the second respondent therein, namely, Tashildar, Sivagiri Taluk, to consider and pass orders on her representation, dated 30.11.2016. Thereafter, the Tahsildar, Sivagiri Taluk sent a reply dated 09.01.2017 rejecting the claim of the petitioner by stating that Chinthamani village is come within the jurisdiction of Kadayanallur Taluk and not in Sivagiri Taluk. Therefore, the petitioner sent a representation on 30.01.2017 to the respondents herein to issue patta. Since no action has been taken, the petitioner has come before this Court with the relief as stated supra.

3. Heard Mr.N.Madhava Govindan, learned counsel appearing for the petitioner and Mr.M.Alagadevan, learned Special Government Pleader appearing for the respondents.

4. The learned counsel for the petitioner submitted that it would suffice if the representation of the petitioner is disposed of, on merits and in accordance with law, within a time frame to be fixed by this Court.

5. The learned Additional Government Pleader would submit that the representation of the petitioner will be considered on merits and in accordance with law.

6. In view of the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, the fourth respondent/Tashildar, Kadayanallur Taluk, is directed to consider the representation of the petitioner dated 30.01.2017 and pass orders on the same on merits and in accordance with law, by giving opportunity of hearing to the petitioner as well as interested parties, if any, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar (CO)

/True Copy/



To

1. The District Collector,
Office of the District Collector
Tirunelveli District,
Tirunelveli.
2. The District Revenue Officer,
Tirunelveli District,
Tirunelveli.
3. The Revenue Divisional Officer,
Office of the District Collector,
Tirunelveli Town.
4. The Tahsildar,
Kadayanallur Taluk,
Tirunelveli District.

+ 1 CC TO Mr.N.MADHAVA GOVINDAN, ADVOCATE IN SR No. 17492
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 17077

SKN

TE/KKR/SAR-II : 22/06/2017 : 3P/7C

W.P. (MD) No.4868 of 2017
22.03.2017