



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 25.05.2017
CORAM:

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

WEB COPY

W.P.(MD)No.9996 of 2017
and
W.M.P.(MD)No.7650 of 2017

1.D.Thangaiyah
2.T.Pushpam

... Petitioners

Vs.

1.The Tahsildar,
Thirupparamkundram Taluk,
Madurai District.

2.The Joint Commissioner,
Hindu Religious & Charitable Endowment
Department,
Madurai 625 001.

... Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent herein to issue separate patta to the petitioners herein in S.No.330/5 in Madakkulam Village, Thirupparamkumdrum Taluk, Madurai, as per representation of the petitioner dated 22.06.2016 based on the order of this Court, dated 29.02.2016, made in WP(MD) No.1480 of 2015 and taking note of the settlement Patta proceedings in SR No.259/M.I.Act/MDU/1967, dated 15.12.1967 issued by Settlement Tahsildar, and the Judgment and decree of the Civil Court in CMA No.341 of 1968 dated 18.09.1972 in favour of the petitioners' predecessors in title, within a reasonable time as may be fixed by this court.

For Petitioners : Mr.V.Janakiramulu

For Respondents : Mr.A.Muthukaruppan,
Additional Government Pleader

O R D E R

The petitioners seek for a Writ of Mandamus directing the 1st respondent herein to issue separate patta to the petitioners herein in S.No.330/5 in Madakkulam Village, Thirupparamkumdrum Taluk, Madurai, as per representation of the petitioner dated 22.06.2016 based on the order of this Court, dated 29.02.2016, made in WP(MD)No.1480 of 2015 and taking note of the settlement Patta proceedings in SR No.259/M.I.Act/MDU/1967, dated 15.12.1967 issued by Settlement Tahsildar, and the Judgment and decree of the Civil Court in CMA No.341 of 1968 dated 18.09.1972 in favour of the petitioners' predecessors in title, within a time frame.



2. The learned Additional Government Pleader takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.

WEB COPY

3. At this stage of hearing, the learned counsel appearing on behalf of the petitioners submitted that it would suffice, if the representation of the petitioners, dated 22.06.2016, is directed to be disposed of, by the respondents, on merits and in accordance with law, within a specified period.

4. The learned Additional Government Pleader appearing on behalf of the respondents have no objection for such an order being passed by this Court.

5. In view of the averments made in the affidavit filed in support of this Writ Petition and in view of the submissions made by the learned counsel appearing on behalf of the petitioners, the first respondent is directed to consider and dispose of the representation of the petitioner, dated 22.06.2016, on merits and in accordance with law, within a period of two weeks from the date of receipt of a copy of this order, after affording sufficient opportunity to the petitioner as well as the other interested persons, if any.

6. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

/True Copy/

Sub-Assistant Registrar

To

1. The Tahsildar,
Thirupparamkundram Taluk, Madurai District.

2. The Joint Commissioner,
Hindu Religious & Charitable Endowment Department,
Madurai 625 001.

+One cc to Mr.V.Janakiramulu, Advocate, SR.No.57849

PJL

RL/4C/2P/MR/SAR1/1.6.2017

W.P (MD) No.9996 of 2017

and
W.M.P. (MD) No.7650 of 2017
25.05.2017