



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 15.12.2017

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

W.P(MD)Nos.14431 and 14432 of 2013

and

MP(MD)Nos. 1 and 1 of 2013 & 1 and 1 of 2014

K.Karuppasamy

... Petitioner

in WP(MD)No.14431 of 2013

N.Arasu

... Petitioner

in WP(MD)No.14432 of 2013

Vs.

1. The District Collector,
Dindigul District,
Dindigul.
2. The Tahsildar,
Ottanchathiram Taluk,
Ottanchathiram,
Dindigul District.
3. The President,
Kuthilappai Village Panchayat,
Ottanchathiram Taluk,
Ottanchathiram,
Dindigul District.
4. Chellammal.

... Respondents in both WPs

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus forbearing the 2nd respondent from issuing patta in favour of the 4th respondent in respect of Natham Porambok Land situated at Survey No.503/1b, Kuthilappai Village, Ottanchathiram Taluk, Dindigul District.

For Petitioner

: Mr.S.Saravanan

For Respondents 1 & 2

: Mr.M.Alagathevan,
Special Government Pleader

For Respondent 3

: Mr. D.Muruganantham

For Respondent 4

: Mr.B.Balachandar
in both Wps

COMMON ORDER

The writ petitions have been filed, seeking a Writ of Mandamus forbearing the 2nd respondent from issuing patta in favour of the 4th respondent in respect of Natham Porambok Land situated at



Survey No.503/1b, Kuthilappai Village, Ottanchathiram Taluk, Dindigul District.

2. Since the issue involved in both the writ petitions, is one and the same, they are disposed by way of this Common Order.

3. Heard both sides.

4. By consent, the writ petitions are taken up for final disposal at the stage of admission itself.

5. The learned counsel for the petitioners would submit that the petitioners own lands near S.No.503/1b, situated at Kuthilappai Village, Ottanchathiram Taluk, Dindigul District. The land in dispute has been classified as Natham Poramboke and the pathway of the land is the only access to the petitioner houses. In this regard, a suit in O.S.No.234 of 2013 is pending before the Sub Court, Palani. In the meanwhile, alleging that the second respondent has proposed to issue patta in favour of the fourth respondent in respect of the land in dispute, the petitioners sent representations to the respondents 1 and 2, requesting, not to issue patta in favour of the fourth respondent. Since no action has been taken by the authorities concerned, the petitioner is before this Court.

6. Though several grounds were raised in the writ petitions, the learned Counsel appearing for the petitioners submitted that it would suffice to direct the respondents 1 and 2, to consider the representation of petitioner, in accordance with law.

7. It is seen that the petitioners have submitted the representations in the year 2013 and it is not known whether the relief sought for therein still subsists due to passage of time.

8. Under such circumstances and also considering the limited scope of the relief sought for, both the writ petitions are disposed of, directing the respondents 1 and 2 to consider the representations of the petitioners dated 21.08.2013, keeping in mind the pendency of the suit before the civil Court and pass appropriate orders, if not already passed, on its own merit and in accordance with law, after affording due opportunity of hearing to the petitioners as well as all the interested parties, if any, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(AE)



To

1. The District Collector,
Dindigul District,
Dindigul.

2. The Tahsildar,
Ottanchathiram Taluk,
Ottanchathiram,
Dindigul District.

+2cc to Mr.S.Saravanan, Advocate Sr.No.93217

DSK

VB/KK/SAR4/10/01/2018/3P/5C

ORDER MADE IN
W.P (MD) Nos.14431 & 14432 of 2013
15.12.2017