

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06.08.2018

CORAM

THE HON'BLE MR. JUSTICE M.DURAI SWAMY

W.P.No.19940 of 2018

H. Sathya

... Petitioner

v.

The Tahsildar,  
Salem South,  
Nethimedu,  
Salem, Salem District

... Respondent

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the Respondent to inspect the Petitioner property and to issue patta for the Petitioner Property measuring 1240 square feet in Old Survey No.36/7, situated in the New Subdivision Survey No.36/7A1 at Nainarpatti Village, Salem District, by considering and pass orders on the application of the petitioner dated 14.05.2018.

For Petitioner : Mr.K.Selvaraj

For Respondent : Mr.E.Balamurugan  
Spl. Govt. Pleader

ORDER

Mr.E.Balamurugan, learned Special Government Pleader, takes notice for the respondent. By consent, the main writ petition itself is taken up for disposal at the admission stage itself.

2. The petitioner has filed the above Writ Petition to issue a writ of mandamus to direct the respondent to inspect the petitioner's property and issue patta for the petitioner's property measuring an extent of 1240 square feet in Old Survey No.36/7, situated in the New Subdivision Survey No.36/7A1 at Nainarpatti Village, Salem District, by considering and pass orders on the application of the petitioner dated 14.05.2018.

3. The learned counsel appearing for the petitioner submitted that though the petitioner has given his application for the issuance of patta as earlier as 14.05.2018, the respondent has not considered the same yet.

4. The learned Special Government Pleader, appearing for the respondent submitted that the respondent may be directed to consider the petitioner's application dated 14.05.2018 and pass orders, in accordance of law, after giving an opportunity of hearing to the petitioner.

5. In view of the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the respondent to consider the petitioner's application dated 14.05.2018 and pass orders, on merits and in accordance with law, after giving due opportunity of personal hearing to the petitioner, within a period of eight weeks, from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of.  
No costs.

Sd/-  
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

Rj/vji

To  
The Tahsildar,  
Salem South,  
Nethimedu,  
Salem, Salem District

+1cc to Mr.K.SELVARAJ, Advocate, S.R.No. 53819  
+1cc to the Government Pleader, S.R.No. 54521

W.P.No.19940 of 2018

TR(23/08/2018)