

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.04.2018

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.29636 of 2013

C. Avudainayagam

... Petitioner

v.

1. The Thasildar,
North Coimbatore, Coimbatore.

2. C.Sundaramurthy

3. R.Marudhachalam

... Respondents

[RR2 & 3 are impleaded as per the order of this Court,
dated 16.04.2018, in W.M.P.No.7301 of 2018]

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondent to issue independent patta to the land bearing R.S.No.302/3 and R.S.302/2A5, measuring total extent of 40 cents, situate at Villankurichi Village, Coimbatore North Taluk, Ganapathy, Coimbatore, as per his application dated 11.05.2012 and representation dated 11.07.2012.

For Petitioner : Mr.V.Raghavachari

For Respondent : Mr.B.Anand, G.A. (for R1)
No Appearance (for R2 & R3)

ORDER

Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the first respondent and perused the materials available on record.

2. The petitioner has come forward with this Writ Petition seeking direction to the first respondent to issue independent patta to the land bearing R.S.Nos.302/3 and 302/2A5, measuring total extent of 40 cents, situated at Villankurichi Village, Coimbatore Taluk, based on his application dated 11.05.2012 and representation dated 11.07.2012.

3. The learned counsel for the petitioner would submit that it would suffice, if a direction is issued to the first respondent to pass orders on the application of the petitioner.

4. The learned Government Advocate submitted that the first respondent has no objection for issuance of patta in Survey No.302/3, but Survey No. 302/2A5 has been classified as Government Poramboke land. So, the petitioner is not entitled for patta to that land.

5. In the light of the limited scope of the prayer sought for in this Writ Petition and the submissions of the learned counsels on either side, this Court, without going into the merits of the case, directs the first respondent to pass appropriate orders on the application of the petitioner dated 11.05.2012, purely on merits, after providing an opportunity of hearing to the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above observation and direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

pvs

To
The Thasildar,
North Coimbatore, Coimbatore.

+1cc to Mr.V.RAGHAVACHARI, Advocate, S.R.No. 28171

सत्यमेव जयते

W.P.No.29636 of 2013

SKV(CO)
TR(04/05/2018)

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