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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date : 10.04.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P. (MD) No.9225 of 2018

and

W.M.P (MD) .No.8525 of 2018

S.Malik

... Petitioner

Vs

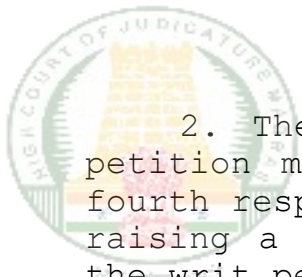
1. The State of Tamil Nadu,
rep., through its Secretary to Government,
Housing and Urban Development Department,
Fort St.George, Secretariat,
Chennai.
2. The Special Tahsildar/Land Acquisition Officer,
Madurai South Neighbour hood Scheme (Unit-III),
Thirumangalam Taluk,
Madurai District.
3. The Executive Engineer & Administrative Officer,
Tamil Nadu Housing Board,
Madurai Housing Unit,
Ellis Nagar, Madurai.
4. The Tahsildar,
Thirumangalam Taluk Office,
Thirumangalam,
Madurai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the fourth respondent to issue patta in the name of the petitioner in respect of the portion of land located on the east side of North end in S.No.4/3C and 5/1A5B to an extent of 19715 sq.ft situated in Uchapatti Village, Thirumangalam Taluk, Madurai District by leaving an extent of 1.52.5 Hectares of land in S.No.4/3A2A etc. which was acquired earlier under the Land Acquisition Act 1894 in Award No.1/94 dated 04.02.1994.

For Petitioner	: Mr.A.Kannan
For R1, R2 & R4	: Mr.M.Rajarajan Government Advocate
For R3	: Mr.R.Janar thanan

ORDER



2. The petitioner seeks issuance of patta in respect of the petition mentioned property. He has given an application to the fourth respondent in this regard. But then, the third respondent is raising a rival claim. The third respondent is strongly opposing the writ petitioner's claim.

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3. Therefore, the fourth respondent is directed to pass order on the petitioner's application dated 06.02.2016. The fourth respondent shall hear not only the writ petitioner but also the Housing Board before passing final order. It is made clear that this Court has not pronounced anything on the merits of the matter. It is open to the fourth respondent to pass order in one way or other. However, the fourth respondent shall take a decision in this regard within a period of eight weeks from the date of receipt of a copy of this order.

4. The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
State of Tamil Nadu,
Housing and Urban Development Department,
Fort St.George, Secretariat,
Chennai.

2. The Special Tahsildar/Land Acquisition Officer,
Madurai South Neighbour hood Scheme (Unit-III),
Thirumangalam Taluk,
Madurai District.

3. The Tahsildar,
Thirumangalam Taluk Office,
Thirumangalam, Madurai District.

+1 CC to Mr.R.JANARTHANAN, Advocate (SR-60052[F] dated 10/04/2019)
+1 CC to Mr.A.KANNAN, Advocate (SR-60060[F] dated 10/04/2019)
+1 CC to SPL GP (SR-60594[F] dated 11/04/2019)

W.P. (MD) No. 9225 of 2018
10.04.2019

rmk

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