



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10.06.2019

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.13002 of 2019

N.Nagasubramanian

...Petitioner

-Vs-

1.The District Collector,
Madurai District.

2.The Revenue Divisional Officer,
Madurai.

3. The Tahsildar,
Madurai West Taluk,
Madurai District.

4. Pankaj Educational Trust,
Rep.By its TP.Srinivasan,
Akshara Matric High School,
Madurai Theni Road,
Karadipatti, Madurai-8

5. The Principal,
Akshara Matric High School,
Madurai Theni Road,
Karadipatti,
Madurai-8

...Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the Respondents 2 and 3 to issue Patta to the petitioner after effecting UDR changes for the land having extent of 5 1/2 cents situated in Survey No.6-1A4A1, (Old Survey No.6/1) Karadipatti village, Madurai West Taluk, Madurai District based on the Village Administrative Officer, Karadipatti Village report dated 24.03.2017 .

For Petitioner : Mr.S.M.Mohan Gandhi

For Respondents : Mr.P.Kannidevan, AGP for RR1 to 3

**ORDER**

The prayer in this writ petition is for a Writ of Mandamus, directing the Respondents 2 and 3 to issue Patta to the petitioner after effecting UDR changes for the land having extent of 5 ½ cents situated in Survey No.6-1A4A1, (Old Survey No.6/1) Karadipatti village, Madurai West Taluk, Madurai District based on the Village Administrative Officer, Karadipatti Village report, dated: 24.03.2017.

2.Heard Mr.S.M.Mohan Gandhi, learned counsel appearing for the petitioner and Mr.P.Kannidevan, learned Additional Government Pleader appearing for the respondents 1 to 3.

3.The learned counsel appearing for the petitioner would submit that, with regard to the land at Survey No.6-1A4A1, (Old Survey No.6/1) in Karadipatti village, Madurai West Taluk, Madurai District, in order to get patta, the petitioner had already approached the second respondent and in this regard, the concerned Village Administrative Officer, on 24.03.2017 has given a recommendatory report in favour of the petitioner to the third respondent, who is the concerned Tahsildar and in this regard, on 25.04.2018, the petitioner had given a representation to the third respondent and it the said representation is considered and an order to that effect is passed on merits, the petitioner would be satisfied.

4.Heard the learned Additional Government Pleader appearing for the respondents 1 to 3, who would submit that, insofar as the claim of the petitioner is concerned, the same shall be considered and decided based on his representation, of course, after conducting enquiry by giving notice to all stakeholders/ private parties and accordingly, a decision would be taken by the third respondent, within the time stipulated by this Court.

5.Since no adverse order is going to be passed against the respondents 4 and 5, notice to the respondents 4 and 5 is hereby dispensed with.

6.In view of the above said factual matrix, this Court is inclined to pass the following orders:

The third respondent is hereby directed to consider the petitioner's representation dated 25.04.2018 and pass order thereon, of course, after giving opportunity to the petitioner as well as the private respondents 4 and 5 and any other stakeholders with regard to the subject land and accordingly, take a decision on merits and in accordance with law and pass orders thereon, within a period of eight weeks from the date of receipt of a copy of this order.



7. With this direction, this writ petition is disposed of. No costs.

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// True Copy //

Sd/-

Assistant Registrar (CS-II)

Sub Assistant Registrar (CS)

To

1. The District Collector,
Madurai District.
2. The Revenue Divisional Officer,
Madurai.
3. The Tahsildar,
Madurai West Tk,
Madurai District.

+1 CC to Mr. S.M. MOHAN GANDHI, Advocate SR-67663.

Order made in
W.P. (MD) No. 13002 of 2019
Dated:
10.06.2019

CS: (18/06/2019) 3P 5C