

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 04.07.2019**

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CORAM**THE HON'BLE MR.JUSTICE R.SURESH KUMAR****W.P. (MD) Nos.15069 & 15070 of 2019**

P.Rengaraj

... Petitioner in both
petitions

-Vs-

1.The District Collector,
Pudukkottai District.2.The Revenue Divisional Officer,
Iluppur,
Pudukkottai District.3.The Tahsildar,
Kulathur,
Keeranur Post,
Pudukkottai District.... Respondents in both
petitions

Prayer in W.P.(MD) No.15069 of 2019: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to take appropriate action on the petition submitted in Jamapanthi on 22.05.2018 to transfer the patta in the name of the Petitioner's son in S.F.No.691/1, extent 53 cents, S.F.No.691/2, extent 81 cents and S.F.No.193/4, extent 14 cents 193/18, extent 16 cents and S.F.No. 192/3, extent 26 cents and S.F.No.179/4, extent 1.16 acres in Mandaiyur village, Kulathur Taluk, Pudukkottai District.

Prayer in W.P.(MD) No.15070 of 2019: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents to take appropriate action on the petition submitted in Jamapanthi on 22.05.2018 to rectify the wrongful entry by the 2nd and 3rd respondents patta no. 3816 for S.F.No. 484/8 having extent of 7 ares in the name of Murugesan, son of Kandasamy and patta no.437 for S.F.No. 489/5B having extent of 0.26.5 ares in the name of Mahalakshmi, wife of Sakthivel and Shanthi, wife of Sekar in Mandaiyur village, Kulathur Taluk, Pudukkottai District.



For Petitioner : Mr.S.Muthukrishnan
For Respondents : Mr.V.Anand,
Government Advocate (in both WP's)

COMMON ORDER

The prayer in these writ petitions are for a Writ of Mandamus, directing the respondents to take appropriate action on the petition submitted in Jamapanthi on 22.05.2018 to transfer the patta in the name of the Petitioner's son in S.F.No.691/1, extent 53 cents, S.F.No.691/2, extent 81 cents and S.F.No.193/4, extent 14 cents 193/18, extent 16 cents and S.F.No. 192/3, extent 26 cents and S.F.No.179/4, extent 1.16 acres in Mandaiyur village, Kulathur Taluk, Pudukkottai District and also to rectify the wrongful entry by the 2nd and 3rd respondents patta no. 3816 for S.F.No. 484/8 having extent of 7 ares in the name of Murugesan, son of Kandasamy and patta no.437 for S.F.No. 489/5B having extent of 0.26.5 ares in the name of Mahalakshmi, wife of Sakthivel and Shanthi, wife of Sekar in Mandaiyur village, Kulathur Taluk, Pudukkottai District.

2.Heard Mr.S.Muthukrishnan, learned counsel appearing for the petitioner in both petitions and Mr.V.Anand, learned Government Advocate appearing for the respondents.

3.Since the parties are one and the same in these two writ petitions, with the consent of both sides, these writ petitions are being disposed of at the admission stage itself, by a common order.

4.The petitioner, in order to get patta for the lands in S.F.No.691/1, 691/2, 193/4, 193/18, 192/3 and S.F.No.179/4 situated at Mandaiyur village, Kulathur Taluk, Pudukkottai District and to rectify the wrong entries made by the 2nd and 3rd respondents in patta no. 3816 for S.F.No. 484/8 in the name of Murugesan, son of Kandasamy and in patta no.437 for S.F.No. 489/5B in the name of Mahalakshmi, wife of Sakthivel and Shanthi, wife of Sekar in Mandaiyur village, Kulathur Taluk, Pudukkottai District, had made request to the 3rd respondent Tahsildar on 22.05.2018 and thereafter, the Tahsildar office seems to have invited the petitioner to produce some documents, which has already been submitted. Despite the same, for a long time, no order seems to have been passed by the Tahsildar and in this regard, on 07.05.2019, the petitioner has given representation by way of appeal to the 2nd respondent. Despite all these efforts taken by the petitioner, the petitioner's request since have not been decided by the 3rd respondent Tahsildar, the petitioner is before this Court. The learned counsel appearing for the petitioner submits that if the said representation of the petitioner is directed to be considered on merits within a time frame, the petitioner would be satisfied.

5.I have heard the learned Government Advocate appearing for the respondents, who would submit that, the request of the petitioner dated 22.05.2018 would be decided by the 3rd respondent Tahsildar, within a time frame to be stipulated by this Court, on merits.



6.Considering the limited scope of the prayer sought for in these writ petitions and having regard to the aforesaid submissions made by both sides, this Court is inclined to dispose of these writ petitions with the following direction:

"The 3rd respondent is directed to consider the representation of the petitioner dated 22.05.2018 and pass orders thereon, in respect of the properties mentioned therein and such order on merits shall be passed by the 3rd respondent, within a period of six weeks from the date of receipt of a copy of this order."

7.With this direction, these writ petitions are disposed of. No costs.

Sd/-

Assistant Registrar (AD I)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The District Collector,
Pudukkottai District.
- 2.The Revenue Divisional Officer,
Iluppur,
Pudukkottai District.
- 3.The Tahsildar,
Kulathur,
Keeranur Post,
Pudukkottai District.

+1cc to Mr.S.MUTHUKRISHNAN, Advocate, SR.No. 73598
+1cc to M/s.Special Government Pleader,SR.No. 73754

W.P. (MD) Nos.15069 and 15070 of 2019

04.07.2019

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