



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

W.P. (MD) No. 9707 of 2019

WEB COPY

K.Rani

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

2. The Tahsildar,
Vembakkottai Taluk,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents herein to issue a patta in S.No.847/62, situated at Vembakkottai Village, Virudhunagar District, in favour of the petitioner as per representation of the petitioner dated 27.01.2019 within a time frame fixed by this Court.

For Petitioner : Mr.R.Vijayakumar

For Respondents : Mr.M.Rajarajan,
Government Advocate.

O R D E R

Heard the learned counsel on either side.

2. With the consent of both the parties, the main Writ petition is taken up for final disposal at the admission stage itself.

3. It is seen that the Writ petitioner had filed O.S.No.285 of 2014 on the file of the District Munsif Court, Sivakasi, along with two others against the Government. The suit was one for declaration and permanent injunction. The suit was decreed on 23.06.2015. The learned counsel appearing for the Writ petitioner asserts that the Judgment has become final as no appeal has been filed for the last 3 ½ years. In respect of the said suit property, a representation has now been given for issuance of patta. The representation was given on 11.05.2017 to the second respondent. The second respondent issued memorandum dated 06.11.2017 calling upon the firka surveyor to carry out the survey. The petitioner's grievance is that nothing has transpired, thereafter. Therefore, the present Writ petition has been filed.



4. In these circumstances, this Court deems it fit and appropriate to direct the second respondent to pass orders on the petitioner's representation dated 11.05.2017 read with subsequent representation dated 27.01.2019, on merits and in accordance with law. It is necessary to direct that the second respondent will take note of the Judgment and Decree dated 23.06.2015 made in O.S.No.285 of 2014 on the file of the District Munsif Court, Sivakasi. The second respondent shall pass appropriate orders within a period of period of eight weeks from the date of receipt of a copy of this order.

5. This Writ petition stands disposed of, on these terms. No costs.

Sd/-

Assistant Registrar (Records)

/ True Copy /

Sub Assistant Registrar(CS)

pmu

To

1. The Revenue Divisional Officer,
Sivakasi,
Virudhunagar District.

2. The Tahsildar,
Vembakkottai Taluk,
Virudhunagar District.

+1 CC to M/s.R.VIJAYAKUMAR, Advocate
(SR-62366[F] dated 25/04/2019)

+1 CC to M/s.SPL GP (SR-62504[F] dated 25/04/2019)

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ES/15.05.2019/2P/5C