



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.07.2019

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THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.15812 of 2019

S.Muniasamy

...Petitioner

-Vs-

1.The District Collector,
Ramnad District.

2.The Tahsildar,
Sayalkudi (Shanmuga Kumarapuram),
Kadalai Taluk, Ramnad District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 05.04.2019 and issue the patta in Joint Patta 1790 in Divisional Survey No.444/2 in and newly Survey No.444/2A1 punchai hectare 1.09.0, 2 acre, 89 cents, upper cent 16 measuring to an extent of 6976 sale deed and on the same survey number of middle measuring an extent of 13 cents totally 29 cents in this remaining of 9 cents in Sayalkudi Village, Sayalkudi Sub Division, Kadaladi Taluk, Ramnad District within the stipulated time as fixed by this Court.

For Petitioner : Mr.R.Prabu Ramachandran
For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

The prayer in this writ petition is for a Writ of Mandamus, to direct the respondents to consider the petitioner's representation, dated 05.04.2019 and issue the patta in Joint Patta 1790 in Divisional Survey No.444/2 in and newly Survey No.444/2A1 punchai hectare 1.09.0, 2 acre, 89 cents, upper cent 16 measuring to an extent of 6976 sale deed and on the same survey number of middle measuring an extent of 13 cents totally 29 cents in this remaining of 9 cents in Sayalkudi Village, Sayalkudi Sub Division, Kadaladi Taluk, Ramnad District, within a stipulated time as fixed by this Court.

2.Heard Mr.R.Prabu Ramachandran, learned counsel appearing for the petitioner, Mr.B.Bhagawathi, learned Government Advocate appearing for the respondents.



3.By consent of both sides, this writ petition is taken up for final disposal at the admissions stage itself.

4.The petitioner, in order to get patta in the joint patta No. 1790 in Divisional Survey No.444/2 in and newly Survey No.444/2A1 punchai hectare 1.09.0, 2 acre, 89 cents, upper cent 16 measuring to an extent of 6976 sale deed and on the same survey number of middle measuring an extent of 13 cents totally 29 cents in this remaining of 9 cents in Sayalkudi Village, Sayalkudi Sub Division, Kadaladi Taluk, Ramnad District, has made a representation to the respondent, especially, the second respondent on 05.04.2019 and since the same has not been considered, the petitioner is before this Court.

5.The learned counsel appearing for the petitioner would submit that, if the said representation is directed to be considered by the second respondent on merits, within a time frame, the petitioner would be satisfied.

6.Heard Mr. B.Bhagawathi, learned Government Advocate appearing for the respondents, who would submit that the said representation of the petitioner dated 05.04.2019 would be decided by the second respondent, within a time frame, as stipulated by this Court.

7.Considering the limited scope of the prayer sought for in this writ petition, this Court is inclined to dispose of this writ petition with the following directions:-

"that the second respondent is hereby directed to consider the representation of the petitioner, dated 05.04.2019, with regard to the grievance of issuing patta and decide the same on merits and in accordance with law and final order shall be passed thereon, within a period of eight weeks from the date of receipt of a copy of this order, after hearing the petitioner as well as the rival claimants, if any."

No costs.

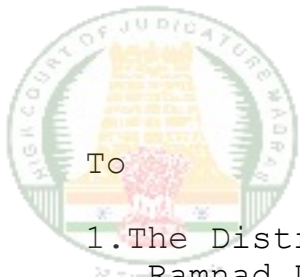
Sd/-

Assistant Registrar (AD II)

// True Copy //

Sub Assistant Registrar (CS)

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To

1.The District Collector,
Ramnad District.

2.The Tahsildar,
Sayalkudi (Shanmuga Kumarapuram),
Kadalai Taluk, Ramnad District.

+1 CC to M/s.R.PRABHU RAMACHANDRAN, Advocate (SR-75491[F] dated
16/07/2019)

+1 CC to M/s.SPL GP (SR-75712[F] dated 17/07/2019)

Order made in
W.P.(MD)No.15812 of 2019

_KK/SAR/28.08.2019/3P-5C/