

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 19.07.2019**

WEB COPY

CORAM**THE HON'BLE MR.JUSTICE R.SURESH KUMAR****W.P. (MD) No.16022 of 2019**

C.A.Sahabudeen Ahamed

... Petitioner

-Vs-

1.The District Collector,
Theni District, Theni.2.The Tahsildar,
Uthamapalayam Taluk,
Theni.

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 2nd respondent to pass orders on the petitioner's statutory application dated 31.01.2015 made under Section 10 of the Patta Pass Book Act, 1983 within the time that may be stipulated by this Court, in the light of the order made by this Court in W.P.(MD) No.4458 of 2015 dated 26.03.2015.

For Petitioner : Mr.M.Mahaboob Athiff for
M/s.Ajmal Associates

For Respondents : Mr.C.M.Mari Chelliah Prabhu, AGP

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 2nd respondent to pass orders on the petitioner's statutory application dated 31.01.2015 made under Section 10 of the Patta Pass Book Act, 1983 within the time that may be stipulated by this Court, in the light of the order made by this Court in W.P.(MD) No.4458 of 2015 dated 26.03.2015.

2.Heard Mr.M.Mahaboob Athiff for M/s.Ajmal Associates, learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader appearing for the respondents.

3.With the consent of both sides, this writ petition is disposed of at the admission stage itself.

<https://hcservices.ecourts.gov.in/hcservices> 4.In respect of the vacant land in T.S.No.10 R.S.No.884/196/1k, Uthampuram Village, Uthamapalayam Taluk, Cumbum, Theni District, the petitioner made a request to the 2nd respondent Tahsildar on



10.04.2016 under Section 10 of Patta Pass Book Act and since, the same has not been acted upon, the petitioner is before this Court.

5. In this regard, the learned counsel appearing for the petitioner would submit that, for the very same relief, already, the petitioner approached this Court by filing a writ petition in W.P. (MD) No.4458 of 2015, where, this Court passed an order on 26.03.2015, directed the respondents to pass orders on the statutory application made by the petitioner dated 31.01.2015. Even though the said order was passed, no action has been taken and the petitioner also within the limitation period could not file a contempt petition and thereafter, the present application has been filed in the year 2016, that was also not considered. Therefore, the petitioner is before this Court.

6. I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, certainly, the 2nd respondent would decide the present application of the petitioner dated 10.04.2016 within a time frame to be stipulated by this Court.

7. Having regard to the said submissions made by both sides, this Court is inclined to dispose of this writ petition with the following direction:

"The 2nd respondent is hereby directed to decide the statutory application of the petitioner dated 31.01.2015 and pass final orders thereon, within a period of six weeks from the date of receipt of a copy of this order and after passing the order, a compliance report shall also be filed before this Court."

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

9. Post the matter on 06.09.2019 for compliance.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar (CS)

Arul

To

1. The District Collector,
<https://hcservices.ecourts.gov.in/hcservices/>
Theni District, Theni.



2.The Tahsildar,
Uthamapalayam Taluk,
Theni.

+1 CC to M/s.SPL GP (SR-76599[F] dated 22/07/2019)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-76556[F] dated
22/07/2019)

W.P.(MD)No.16022 of 2019
19.07.2019

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