



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

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W.P. (MD)No.17398 of 2019

Ponnusamy, S/o.Kumar Gounder

... Petitioner

-Vs-

1.The District Collector,
Karur District,
Karur.

2.The Revenue Divisional Officer,
Karur District,
Karur.

3.The Tahsildar,
Manmangalm Taluk,
Karur District.

... Respondents

Prayer:- Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue Patta in respect of the land in S.F.No.235, to an extent of 90 cents, situated at Punjai Kadambakurichi Village, Manmangalam Taluk, Karur District, based on the representation of the petitioner, dated 23.07.2018.

For Petitioner : Mr.S.Gokul Raj

For Respondents : Mr.P.Kannithevan

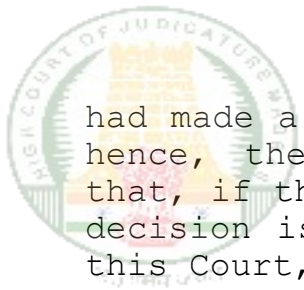
Additional Government Pleader

ORDER

The prayer in this Writ Petition is for a Writ of Mandamus, directing the respondents to issue Patta in respect of the land in S.F.No.235, to an extent of 90 cents, situated at Punjai Kadambakurichi Village, Manmangalam Taluk, Karur District, based on the representation of the petitioner, dated 23.07.2018.

2.Heard Mr.S.Gokulraj, learned counsel appearing for the petitioner and Mr.P.Kannithevan, learned Additional Government Pleader appearing for the respondents.

3.The petitioner, in order to get Patta in respect of the land in S.F.No.235, measuring to an extent of 90 cents, situated at Punjai Kadambakurichi Village, Manmangalam Taluk, Karur District,



had made a representation to the first respondent on 23.07.2018 and hence, the learned counsel appearing for the petitioner submits that, if the said representation is decided by the respondents and a decision is taken thereon, within a time frame to be stipulated by this Court, the petitioner would be satisfied.

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4.The learned Additional Government Pleader appearing for the respondents submits that, admittedly, the said land is a Poromboke land and therefore, the petitioner cannot claim any Patta, as a matter of right. However, the representation of the petitioner dated 23.07.2018, would be considered and decided on merits by the respondents 1 and 2, within a time frame to be stipulated by this Court.

5.Having regard to the submissions made by the learned counsel on either side and taking note of the factual matrix of the issue, this Court is inclined to dispose of this Writ Petition, with the consent of both the parties, at the stage of admission itself, with the following direction:-

The respondents 1 and 2 are hereby directed to consider the representation of the petitioner, dated 23.07.2018 and pass orders thereon, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that, since the land in question is admittedly Government Poromboke land, it is for the respondents to decide as to whether the petitioner is entitled to get Patta and the respondents shall also verify whether the said land is a water body Poromboke and in that context, no assignment can be given to any one. Considering all the aspects, an order to that effect on merits shall be passed by the respondents, as indicated above.

6.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The District Collector,
Karur District,
Karur.
2. The Revenue Divisional Officer,
Karur District,
Karur.
3. The Tahsildar,
Manmangalm Taluk,
Karur District.

+1 CC to M/s.S.GOKULRAJ, Advocate SR-80379.
+1 CC to SPL GP SR-80604.

W.P. (MD) No.17398 of 2019

CS(19.11.2019) 3P 6C