



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.08.2019**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.17551 of 2019

Natarajan

... Petitioner

-Vs-

1.The District Revenue Officer,
Madurai,
Madurai District.

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

3.The Tahsildar,
Madurai South Taluk Office,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondents to issue patta in the name of the petitioner in respect of the property comprised in Old Survey No.208 and New Survey No.4/8 of an extent of 81 cents situated at Mela Nedungulam Village, Thiruparamkundram Taluk, Madurai District based on the application submitted by the petitioner on 15.07.2019, within the time stipulated by this Court.

For Petitioner : Mr.S.Sathya Chidambaram

For Respondents : Mr.C.M.Mari Chelliah Prabhu
Additional Government Pleader

ORDER

The prayer sought for in this writ petition is to direct the respondents to issue patta in the name of the petitioner in respect of the property comprised in Old Survey No.208 and New Survey No.4/8 of an extent of 81 cents, situated at Mela Nedungulam Village, Thiruparamkundram Taluk, Madurai District, based on the application submitted by the petitioner, dated 15.07.2019, within the time stipulated by this Court.

2.Heard Mr.S.Sathya Chidambaram, learned counsel appearing for
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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 taken up for final disposal at the admission stage itself.

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4.The petitioner claimed that, he is one of the joint owners of the property in Old Survey No.208 and New Survey No.4/8 to the extent of 81 cents, situated at Mela Nedungulam Village, Thiruparamkundram Taluk, Madurai District and in this regard, it seems that in the revenue records it has been categorized as "Anathinam". However, the ownership, according to the petitioner, is with the petitioner and other joint owners and therefore, the petitioner made a representation on 15.07.2019 to the respondents to subdivide the land and issue patta.

5.I have heard the learned Additional Government Pleader appearing for the respondents, who would submit that, admittedly the land records shows that the land in question has been classified as "Anathinam" and in that case, the right of the petitioner and other co-owners, as claimed by the petitioner, to get patta has to be enquired into and only after conducting enquiry, the revenue Tahsildar, especially, the third respondent herein would pass final order on the representation of the petitioner, within a time frame.

6.Having regard to the said submissions made by both sides, this Court is inclined to dispose of this writ petition with the following directions;-

"that the third respondent is hereby directed to conduct an enquiry on the basis of the representation given by the petitioner, dated 15.07.2019, after giving notice to both the petitioner as well as the other co-owners or rival claimants and after completing the same, final order shall be passed on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order."

7.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

rmk

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To

1.The District Revenue Officer,
Madurai,
Madurai District.

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

3.The Tahsildar,
Madurai South Taluk Office,
Madurai District.

+1 CC to M/s.S.SATHYA CHIDAMBARAM, Advocate (SR-80843[F] dated
09/08/2019)

+1 CC to M/s.SPL GP (SR-81476[F] dated 13/08/2019)

W.P. (MD)No.17551 of 2019
09.08.2019

JMN(15.11.2019) 3P : 6C