



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P.(MD)No.18431 of 2019

T.Kulandai

...Petitioner

-Vs-

The Tahsildar,
Dindigul Taluk (West),
Dindigul District.

...Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondent to issue patta for the land situated in Chinthalakundu Village, Dindigul West, Dindigul in Survey No.296 to an extent of 86 cents based on the petitioner's representation dated 03.06.2019 within the time limit that may be stipulated by this Court.

For Petitioner : Mr.P.Saravanakumar

For Respondent : Mr.M.Rajarajan
Government Advocate

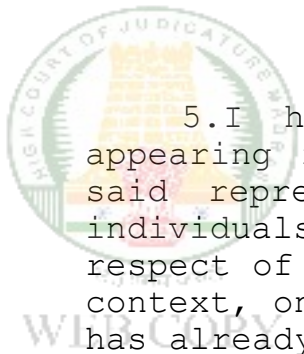
ORDER

The prayer sought for in this writ petition is to direct the respondent to issue patta for the land situated in Chinthalakundu Village, Dindigul West, Dindigul, in Survey No.296 to an extent of 86 cents, based on the petitioner's representation dated 03.06.2019, within a time frame to be stipulated by this Court.

2.Heard Mr.P.Saravanakumar, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Government Advocate appearing for the respondent.

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

4.In respect of the land at Survey No.296 to an extent of 86 cents situated in Chinthalakundu Village, Dindigul West, Dindigul, the petitioner has made a representation to the respondent on 03.06.2019 to cancel the patta issued in the name of some individuals and to grant patta in his favour with regard to the property, based on the civil Court decree.



5.I have heard Mr.M.Rajarajan, learned Government Advocate appearing for the respondent, who would submit that, since in the said representation, the petitioner sought for patta given to individuals/third parties to be cancelled and reissuance of patta in respect of the said land to and in favour of him, therefore, in this context, only after hearing the third parties, in whose favour patta has already been given, as well as the petitioner, a decision can be taken by the respondent and accordingly, the petitioner's representation, dated 03.06.2019 would be disposed of.

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 respondent is hereby directed to consider the representation of the petitioner, dated 03.06.2019 on merits and in accordance with law, after hearing the petitioner as well as the private persons, namely Dhanalakshmi, Thennarasan, Tamilarasan and Anbarasi, in whose name patta in respect of the property stands and also hear any other third party or rival claimants, if such a claim comes to the notice of the respondent and thereafter, pass orders on the representation of the petitioner, as indicated above, 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

/ True Copy /

Sub Assistant Registrar(CS-)

To

The Tahsildar,
Dindigul Taluk (West),
Dindigul District.

+1 CC to M/s.SPL GP (SR-83962[F] dated 28/08/2019)

+1 CC to M/s.B.MUTHUPRAKASH, Advocate(SR-84321[F] dated 29/08/2019)

W.P. (MD)No.18431 of 2019
27.08.2019

rmk

ES/15.11.2019/2P/4C