



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.08.2019

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P.(MD)No.18449 of 2019

WEB COPY

Koilpillai

...Petitioner

-Vs-

The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District.

...Respondent

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, to direct the respondent herein to take immediate action to issue the patta in favour of petitioner in respect of the property comprised in Natham Town Survey No.256 situated at Sayarpuram, Kattalankulam Village, Thoothukudi Taluk and District by considering petitioner's representation dated 10.07.2019 within the time stipulated by this Court.

For Petitioner : Mr.S.Mandhiralingeswaran
For Respondent : Mr.V.Anand
Government Advocate

ORDER

The prayer sought for in this writ petition is to direct the respondent herein to take immediate action to issue patta in favour of petitioner in respect of the property comprised in Natham Town Survey No.256 situated at Sayarpuram, Kattalankulam Village, Thoothukudi Taluk and District, by considering the petitioner's representation, dated 10.07.2019 within a time frame to be stipulated by this Court.

2.Heard Mr.S.Mandhiralingeswaran, learned counsel appearing for the petitioner and Mr.V.Anand, 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.The petitioner, in order to get patta to the Natham land at Survey No. 256 situated in Sayarpuram, Kattalankulam Village, Thoothukudi Taluk and District, has made a representation to the respondent on 10.08.2017 and latest on 10.07.2019. Hence, the learned counsel for the petitioner would submit that, if both the representations are decided by the respondent on merits and orders are passed thereon, within a time frame to be stipulated by this Court, the petitioner would be satisfied.



5.I have heard Mr. V.Anand, learned Government Advocate appearing for the respondent, who would submit that, even though the petitioner had made the said representation on 10.07.2019, based on which, the petitioner cannot claim entitlement of getting patta in Natham land and the same would have been assessed during the natham survey and patta would have been given either to the person, who have been in possession of the natham land or the same would have been sought as Government land. At any rate, since the representation has been given by the petitioner, the same would be disposed of by the respondent, 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 respondent is hereby directed to consider the representation of the petitioner, dated 10.07.2019 and pass order thereon, on merits and in accordance with law. It is made clear that, it is open to the respondent to verify the claim of the petitioner to get patta in the subject land and accordingly, decide the same, after verifying the records properly and final order to that effect shall be passed, 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

To

The Tahsildar,
Thoothukudi Taluk,
Thoothukudi District.

+1 CC to M/s.MANDHIRA LINGESH WARAN, Advocate SR-83631.
+1 CC to SPL GP SR-83978.

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CS(15.11.2019) 2P 4C