



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **10.09.2019**

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.19544 of 2019

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... Petitioner

/Vs./

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Tahsildar,
Vilathikulam Taluk,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents to issue patta to the petitioner in respect of the property comprised in survey no.991/14 to an extent of 33 sq.m., out of 121 sq.m., situated at ward no.3 Panaiyadipatti village,Vilathikulam Taluk,Thoothukudi District, based on the petitioner's representation dated 09.07.2018.

For Petitioner : Mr.R.Murugan
For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

Mr.R.Murugan, learned counsel on record for writ petitioner is before this Court.

2. Mr.Aayiram K.Selvakumar, learned Additional Government Pleader, accepts notice on behalf of both the respondents.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 09.07.2018 wherein writ petitioner has made a plea to safeguard property for which according to writ petitioner, he has been issued tentative patta (உத்தேச பட்டா/தேராய பட்டா).

5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support



of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the second respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 09.07.2018, details of which have been alluded to supra.

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6. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 09.07.2018 made by the writ petitioner (page Nos.4 to 6 of the typed set of papers forming part of the case file).

7. It is made clear that in the course of the representation being considered by the second respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the second respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

8. The aforesaid representation dated 09.07.2018 shall be disposed of by the second respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

9. The proceeding / order of disposal shall be communicated by the office of the second respondent to the writ petitioner under due acknowledgement within seven working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Collector,
Thoothukudi District, Thoothukudi.

2.The Tahsildar,
Vilathikulam Taluk,
Thoothukudi District.

<https://hcservices.karnataka.gov.in/hcservices/>



+1 CC to Mr.R.MURUGAN, Advocate (SR-86067[F] dated 10/09/2019)
+1 CC to Spl.GP (SR-86284[F] dated 12/09/2019)

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Order made in
W.P (MD) No.19544 of 2019
Dated:10.09.2019

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MK (27.09.2019) 3P 5C