



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.09.2019**

CORAM:

THE HONOURABLE **MR.JUSTICE M.SUNDAR**

W.P(MD)No.19412 of 2019

Gurusamy

... Petitioner

/Vs./

The Thasildar,
Thirumangalam Taluk,
Thirumangalam Taluk Office,
Madurai District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent to provide him a patta in his name for the land in his absolute possession and peaceful enjoyment till date, situate in survey number.50/2 measuring 20 cents by considering the petitioner's representation dated 24.04.2018 and to provide him due opportunity while disposing the same within the time to be stipulated by this Court.

For Petitioner : Mr.A.K.Hemaraj
For Respondent : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

Mr.A.K.Hemaraj, learned counsel on record for writ petitioner is before this Court.

2. Mr.K.Mu.Muthu, learned Additional Government Pleader, accepts notice on behalf of the sole respondent.

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 24.04.2018 wherein writ petitioner has sought patta for 20 cents of land comprised in S.No.50/2, Vengadasamuthiram Village, Thirumangalam Taluk, Madurai District and this plea in turn is predicated on the ground that patta has been issued for adjacent land comprised in S.No.50/1 in favour of one Vaitheeswaran (articulated in Paragraph No.6 of writ affidavit).



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 respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 24.04.2018, details of which have been alluded to supra.

6. Learned State counsel submitted that respondent is the authority who shall consider the aforementioned representation dated 24.04.2018 made by the writ petitioner (page No.5 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 respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the 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 24.04.2018 shall be disposed of by the respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of four (4) 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 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

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To

The Thasildar,
Thirumangalam Taluk,
Thirumangalam Taluk Office,
Madurai District.

+1 CC to M/s.A.K.HEMARAJ, Advocate (SR-86019[F] dated 09/09/2019)

+1 CC to M/s.GP (SR-86139[F] dated 10/09/2019

Order made in
W.P(MD)No.19412 of 2019
Dated:09.09.2019

JMN (27.09.2019) 3P : 4C