



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.11.2019

CORAM:

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

W.P(MD)No.22408 of 2019

WEB COPY

Ramasamy

... Petitioner

/Vs./

1.The Revenue Divisional Officer,
Iluppur Taluk, Pudukkottai District.

2.The Thasildar, Kulathur Taluk,
Pudukkottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the 2nd respondent to comply with the order passed by the 1st respondent in his proceedings in O.Mu.A1/3899/2019 dated 27.08.2019.

For Petitioner : Mr.V.Selva
For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

Mr.V.Selva, learned counsel on record for writ petitioner is before this Court.

2. Mr.B.Bhagawathi, learned Government Advocate, accepts notice on behalf of both 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 26.08.2019 wherein writ petitioner has sought patta.

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 26.08.2019, details of which have been scanned and reproduced infra:



WEB COPY

2-6-2-2-2-2-2

பட்டா மாறுதல் செய்ய வேண்டி விண்ணப்பம்

அனுப்புதல்:-

வை.ராமசாமி,
S/o வையாபுரி,
வாத்திராமேடு,
மண்டபுர் அஞ்சல்,
குளத்தூர் தாலுகா,
புதுக்கோட்டை மாவட்டம்.
Cell No:

பெறுதல்:-

வருவாய் வட்டாட்சியர் அவர்கள்
குளத்தூர் (Tk),
கீரஜூர்.

ஐயா,

பொருள் : பதிவு பத்திர ஆவணப்படி பட்டா வேண்டி.

புதுக்கோட்டை மாவட்டம், குளத்தூர் தாலுகா, மண்டபுர் வருவாய் கிராமம் புஞ்சை புல எண்.131/1-க்கு உள்ள என்னுடைய தகப்பனர் வையாபுரி என்பவர் பெயரில் உள்ள பதிவு ஆவண எண் 158/1965-ம் எண் பதிவு ஆவணத்தின் படி பட்டா வழங்கிட வேண்டி அன்புடன் கேட்டுக் கொள்கிறேன்.

இப்படிக்கு,

V-137/2024

இணைப்பு :

1. பதிவு ஆவண எண் 158/1965-ம் எண் ஆவண நகல்
2. "ரி" செட்டில்மெண்ட் நகல்



6. Read this in conjunction and in continuation of earlier proceedings of this Court dated 23.10.2019, which reads as follows:

'Mr.B.Bhagawathi, learned Government Advocate accepts notice on behalf of two respondents and seeks time to get instructions.

WEB COPY

2. Learned State Counsel shall get instructions specifically with regard to the revenue classification of the lands which form subject matter of instant writ petition.

3. It is submitted by Mr.V.Selva, learned Counsel on behalf of writ petitioner that in the communication of Revenue Divisional Officer, dated 26.08.2019 bearing reference O.Mu.A1/3988/2019, the date of representation of writ petitioner has been wrongly shown as 23.07.2019. According to learned Counsel for writ petitioner, it is 26.08.2019 (page No.7 of the typed set of papers forming part of case file).

4. Learned State Counsel to get instructions on this aspect of the matter also.

5. List on 20.11.2019.'

7. Today, after getting instructions, learned State counsel submits that land forming subject matter of instant writ petition is not objectionable land qua patta plea.

8. Learned State counsel further submits that the second respondent is the authority who shall consider the aforementioned representation dated 26.08.2019 made by the writ petitioner (page No.7 of the typed set of papers forming part of the case file).

9. The aforesaid representation dated 26.08.2019 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.

10. 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. The authority concerned shall not embark upon any exercise which is within the domain of civil Court jurisdiction. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits



of the matter.

11. The proceeding / order of disposal shall be communicated by the office of the second respondent to the writ petitioner and others concerned if any under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.

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

Sd/-

Assistant Registrar (CS II)

// True Copy //

Sub Assistant Registrar(CS)

Encl:Xerox Copy of Scanned Image.

sm

To

1.The Revenue Divisional Officer,
Iluppur Taluk, Pudukkottai District.

2.The Thasildar, Kulathur Taluk,
Pudukkottai District.

+1 CC to M/s.N. ANANDA KUMAR, Advocate (SR-100251[F] dated
21/11/2019)

+1 CC to M/s.GP (SR-100566[F] dated 22/11/2019)

Order made in
W.P(MD)No.22408 of 2019

Dated:
20.11.2019

SM

KK/SAR/13.12.2019/4P-5C