



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.10.2019

CORAM:

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

W.P (MD)No.22599 of 2019

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Shiek Abdul Kadar

... Petitioner

/vs./

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

3.The Special Tahsildar,
NH49 Unit V,
Special District Revenue Office,
District Collector Campus,
Ramanathapuram,
Ramanathapuram District.

4.The Special Tahsildar,
NH 49 Unit II,
Paramakudi,
Ramanathapuram District.

5.The Revenue Tahsildar,
Ramanathapuram,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents issue a patta in survey No.21/1 an extent 2.08 cents Pattamkathan Village, Ramanathapuram Taluk, Ramanathapuram District by considering the petitioner's representation dated 20.09.2019.

For Petitioner : Mr.A.Shajahan

For Respondents : Mr.Aayiram K.Selvakumar

Additional Government Pleader

ORDER

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

<https://hcservices.courts.gov.in/hcservices> Mr.Aayiram K.Selvakumar, learned Additional Government



Pleader, accepts notice on behalf of all five 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 20.09.2019 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 fifth respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 20.09.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the fifth respondent is the authority who shall consider the aforementioned representation dated 20.09.2019 made by the writ petitioner (page No.29 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 20.09.2019 shall be disposed of by the fifth respondent on its own merits in consultation with third respondent 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.

8. It is made clear that in the course of the representation being considered by the fifth respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the fifth 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. The authority concerned shall not embark upon any exercise which is within the domain of civil Court jurisdiction.

9. The proceeding / order of disposal shall be communicated by the office of the fifth respondent to the writ petitioner under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.



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

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Sd/-

Assistant Registrar (co)

// True Copy //

Sub Assistant Registrar (CS)

rmk

To

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Ramanathapuram District.
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- 5.The Revenue Tahsildar,
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Ramanathapuram District.

+1 CC to M/s.A.SHAJAHAN, Advocate (SR-94172[F] dated 24/10/2019)

+1 CC to M/s.SPL GP (SR-94626[F] dated 25/10/2019)

Order made in
W.P(MD)No.22599 of 2019
24.10.2019