



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.11.2019

CORAM:

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

W.P(MD)No.23401 of 2019

WEB COPY

R.Sundararajan

... Petitioner

/Vs./

The Thasildar,
Thuraiyur Tahsildar Office,
Thuraiyur,
Trichy District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondent to issue separate patta in the petitioner's name alone by subdividing the survey numbers S.F.No.105/6 and 105/4C1 as mentioned in the e-application vide can No.0331505116478 and application No.2019/0105/15/068820 dated 22.08.2019.

For Petitioner : Mr.G.S.Ashok Adhithyan
For Respondent : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

Mr.G.S.Ashok Adhithyan, 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 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 22.08.2019 wherein writ petitioner has sought transfer of patta in his name from the name of his vendor Senkoda Konar, who in turn holds joint patta with two others with regard to lands comprised in two survey numbers mentioned in the representation dated 22.08.2019.

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 22.08.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the respondent is the authority who shall consider the aforementioned representation dated 22.08.2019 made by the writ petitioner (page No.24 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 22.08.2019 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 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 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. 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.

9. The proceeding / order of disposal shall be communicated by the office of the respondent to the writ petitioner and others concerned if any 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.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

Sub Assistant Registrar(CS)

sm



To
The Thasildar,
Thuraiyur Tahsildar Office,
Thuraiyur,
Trichy District.

+1CC TO MR.G.S.ASOK ADHITHYAN, Advocate Sr. No. 96766
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 96995

Order made in
W.P (MD) No.23401 of 2019
Dated:
07.11.2019

AL (CO)
TR (20.11.2019) 3P 4C