



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD)No.23429 of 2019

A.Palanikumar

... Petitioner

Vs.

1.The District Collector,
Madurai District,
Madurai - 625 020.

2.The District Revenue Officer,
(Collectorate Complex),
Madurai District,
Madurai.

3.The Revenue Divisional Officer,
Thirumangalam, Madurai District.

4.The Tahsildar,
Thirumangalam Taluk Office,
Thirumangalam,
Madurai 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, relating to his 4 cents and 5 sq. ft of land in Re-survey No.82/5H in Utchampatti Village, Thirumangalam Taluk, Madurai District on the basis of his representation dated 18.09.2019.

For Petitioner : Mr.D.Ghandiraj

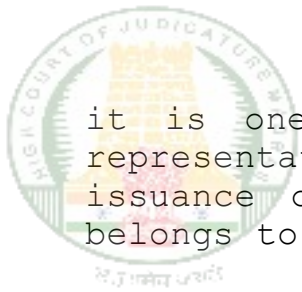
For Respondents : Mr.Aayiram K.Selvakumar,
Additional Government Pleader.

ORDER

Mr.D.Ghandiraj, learned counsel on record for writ petitioner and Mr.Aayiram K.Selvakumar, learned Additional Government Pleader on behalf of all four respondents are before this Court.

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

<https://hcservices.courts.gov.in/hcservices/> writ petition turns on a very narrow compass, as



it is one seeking mandamus qua disposal of writ petitioner's representation dated 18.09.2019 wherein writ petitioner has sought issuance of patta for land which according to writ petitioner belongs to him.

4. 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 fourth respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 18.09.2019, details of which have been alluded to supra.

5. Learned State counsel submitted that the fourth respondent is the authority who shall consider the aforementioned representation dated 18.09.2019 made by the writ petitioner (page Nos.20 to 22 of the typed set of papers forming part of the case file).

6. To be noted, pursuant to 06.11.2019 proceedings of this Court, learned State Counsel has obtained instructions and submitted that according to revenue classification, land forming subject matter of instant Writ Petition is not public land and is not objectionable in any manner.

7. The aforesaid representation dated 18.09.2019 shall be disposed of by the fourth 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 fourth respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the fourth 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 fourth 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 (CRL.SIDE)

// True Copy //

Sub Assistant Registrar (CS)

ps

To

- 1.The District Collector,
Madurai District,
Madurai - 625 020.
- 2.The District Revenue Officer,
(Collectorate Complex),
Madurai District,
Madurai.
- 3.The Revenue Divisional Officer,
Thirumangalam, Madurai District.
- 4.The Tahsildar,
Thirumangalam Taluk Office,
Thirumangalam,
Madurai District.

+1 CC to Mr.D.GANDHIRAJ, Advocate (SR-98151[F] dated 14/11/2019)

+1 CC to M/s.SPL GP (SR-98086[F] dated 13/11/2019)

W.P (MD) No.23429 of 2019
12.11.2019

KM/(27.11.2019) 3P 7C