



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.11.2019**

CORAM:

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

W.P (MD)No.24785 of 2019

K.Janakiraman

... Petitioner

/Vs./

- 1.The District Collector,
O/o. The District Collector,
Theni District, Theni.
- 2.The District Revenue Officer,
O/o. The District Revenue Officer,
Theni District, Theni.
- 3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Thamaraikulam,
Periyakulam Taluk, Theni District.
- 4.The Tahsildar, Taluk Office,
Theni, Theni 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 1 to 4 to issue patta to the petitioner's land of an extent of 3 cents (less than 18 feet) in north west corner of 10 cents out of 1 acre 42 cents i.e., 1 acre 32 cents in which northern side portion of 86 cents and totally 1 acre 38 cents in which south west portion of S.No.1452/1A and 1452/1B1 of Veerapandi village as per the representation dated 04.11.2019.

For Petitioner : Mr.M.A.M.Raja

For Respondents : Mr.K.Mu.Muthu

Additional Government Pleader

ORDER

Mr.M.A.M.Raja, 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 all four (4) 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 04.11.2019 wherein writ petitioner accepts, gives legal quietus / finality to order dated 26.09.2019 bearing



reference Na.Ka.No.4044/2018/A1 made by the third respondent and seeks patta to certain extent of land in S.No.1452/1A and 1452/1B1 which according to writ petitioner has been purchased by him under a registered sale deed dated 06.09.1999.

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 fourth respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 04.11.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the fourth respondent is the authority who shall consider the aforementioned representation dated 04.11.2019 made by the writ petitioner (page Nos.15 to 17 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 04.11.2019 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. 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 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

// True Copy //



To
WEB COPY

- 1.The District Collector,
O/o. The District Collector,
Theni District, Theni.
- 2.The District Revenue Officer,
O/o. The District Revenue Officer,
Theni District, Theni.
- 3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Thamaraikulam,
Periyakulam Taluk, Theni District.
- 4.The Tahsildar, Taluk Office,
Theni, Theni District.

+1 CC to M/s.M.A.M.RAJA, Advocate (SR-100803[F] dated 22/11/2019)

+1 CC to M/s.SPL GP (SR-100909[F] dated 25/11/2019)

Order made in
W.P (MD) No.24785 of 2019
22.11.2019

KK/SAR/06.12.2019/3P-7C/