



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:25.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P(MD)No.24968 of 2019

A.Adaikalam Kathan

... Petitioner

Vs.

The Tahsildar,
Thirumayam Taluk Office,
Thirumayam,
Pudukottai 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 consider the application dated 13.06.2019 within a specified time frame that may be fixed by this Court for issuance of patta in favour of the petitioner in respect of the property admeasuring to an extent of 396 square feet comprised in new survey No.1219/58 old Natham Survey No.277/1 situated at Virachilai I Bit Village, Thirumayam Taluk, Pudukottai District.

For Petitioner : Mr.Shangar Murali

For Respondents : Mr.M.Pandiarajan

Additional Government Pleader

ORDER

Mr.Shangar Murali learned Counsel on record for writ petitioner and Mr.M.Pandiarajan, learned Additional Government Pleader, who accepts notice on behalf of sole respondent 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.

3. Instant main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 13.06.2019 wherein writ petitioner has requested change of name in patta (தேராய பட்டா) from his vendor's name to his name.

4. Notwithstanding several averments/ grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of instant writ petition / prayer in instant writ petition and submits that it will suffice if the respondent is directed to dispose of the aforementioned representation of the writ petitioner dated 13.06.2019, details of which have been alluded to supra.

5. Learned State counsel submitted that respondent is the authority who shall consider the aforementioned representation dated



13.06.2019 made by the writ petitioner (page No.17 of the typed set of papers forming part of the case file).

6. The aforesaid representation dated 13.06.2019 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.

7. 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 put on notice and 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 ie., the respondent shall not embark upon any exercise which is within the domain of civil Court jurisdiction.

8. The proceeding / order of disposal of aforementioned representation 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 date of completion of aforesaid exercise, ie., seven days from date of disposal.

9. Instant Writ Petition is disposed of with above directions. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)

SSL

To
The Tahsildar,
Thirumayam Taluk Office,
Thirumayam,
Pudukkottai District.
+1 CC to Mr.K.S. SANKAR MURALI, Advocate (SR-101277[F] dated 26/11/2019)
+1 CC to SPL GP (SR-101493[F] dated 26/11/2019)

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