



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2019

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD)No.26866 of 2019

WEB COPY

D.Kannan

... Petitioner

vs.

1.The Tahsildar,
Taluk Office, Manaprai Taluk,
Thiruchirappalli District.

2.The Special Tahsildar,
Taluk Office, Manaparai Taluk,
Tiruchirappalli District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the second respondent to consider the representation of the petitioner, dated 13.08.2019 and to reclassify the 0.31 cents of land comprised in S.No.733/2 Ward G, Block 9 of Sevalur Village, Manaparai Taluk, Tiruchirappalli District as Punjai tharisu and issue patta to the petitioner's family.

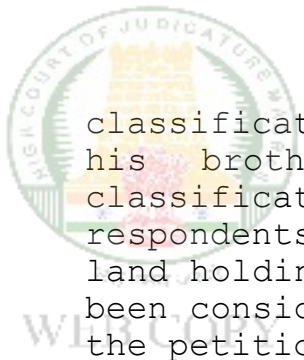
For Petitioner :Ms.J.Maria Roseline
For Respondents:M.A.Thiyagarajan
Government Advocate

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus to direct the second respondent to consider the representation of the petitioner, dated 13.08.2019 and to reclassify the 0.31 cents of land comprised in S.No.733/2 of Sevalur Village, Manaparai Taluk, Tiruchirappalli District as Punjai and issue patta to the petitioner's family.

2.By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3.The petitioner states that his family owns an extent of 31 cents of land comprised in S.No.733/2 of Sevalur Village, Manaparai Taluk, Tiruchirappalli District. It is further stated that patta stands in the name of petitioner's father, by name, Dhanapal Naidu and that the same was also transferred in the name of petitioner and his brother, after the life time of petitioner's father. The grievance of the petitioner is that the second respondent, during town survey, has wrongly classified the petitioner's land in S.No.733/2, as Tharisu / Poramboke, which according to the petitioner is a wrong classification. Stating that such



classification was without giving prior notice to the petitioner and his brother, who were shown as pattathars prior to the classification, the petitioner submitted a representation before the respondents on 13.08.2019 to restore the classification as well the land holdings. However, the representation of the petitioner has not been considered. Hence, the present Writ Petition has been filed by the petitioner.

4.Though the petitioner prays for a positive direction to the respondents to reclassify the land and issue patta to the petitioner's family, the learned Counsel for the petitioner would submit that the petitioner would be satisfied, if a direction is issued to the respondents to consider the representation of the petitioner and pass appropriate order within the time stipulated by this Court

5.Having regard to the limited scope of prayer that is now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's case, this Court is inclined to issue the following direction:-

"The second respondent is directed to consider the petitioner's representation dated 13.08.2019 and do the needful or pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, after hearing / giving sufficient opportunity to the petitioner or anyone found as person interested."

6.Accordingly, the Writ Petition is disposed of. No costs

Sd/-

Assistant Registrar (Crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cmr

To

1.The Tahsildar,

Taluk Office, Manaprai Taluk, Thiruchirappalli District.

2.The Special Tahsildar,

Taluk Office, Manaparai Taluk, Tiruchirappalli District.

+1 CC to M/s.SPL.GP (SR-105557[F] dated 18/12/2019)

+1 CC to M/s.J.MARIA ROSELINE, Advocate (SR-105807[F]

W.P. (MD) No. 26866 of 2019

17.12.2019

sma/13/01/2020/2p/5c