

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 18.03.2020
CORAM
THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH
W.P.No.6822 of 2020

R. Sivakumar

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Nilgiris.

2.The Tahsildar,
Kunda Taluk Office,
Kunda, Nilgiris District. ... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of writ of mandamus, directing the second respondent to issue patta in Survey No.558/9 and 558/10 in patta No.970 in the name of the petitioner in Balacola Village, Kundah Taluk, Nilgiri District, based on the representation of the petitioner dated 17.02.2020.

For Petitioner : Mr. K. Murugesan

For Respondents : Mr. S.N. Parthasarathi,
Government Advocate

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the second respondent to issue patta to the petitioner based on his representation dated 17.02.2020.

2. The case of the petitioner is that the property originally belonged to his father by virtue of a registered sale deed dated 16.10.1971. According to the petitioner his father has also put up a construction and he was residing in the property along with his family. The further case of the petitioner is that his father died in the year 2007 leaving behind the petitioner as the legal heir. According to the petitioner, the name of the petitioner was also added in the patta along with 27 other owners for the entire Survey Nos.558/2009 and 558/2010. The petitioner has therefore made a representation to the respondents to issue a separate patta in his name for the extent to which the petitioner is the owner. Since the same was not considered, the present writ petition has been filed before this Court.

3. Heard the learned counsel for the petitioner and the learned counsel for the respondents.

4. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this writ petition, there shall be a direction to the second respondent to consider the representations made by the petitioner on 02.12.2019 and 17.02.2020 and deal with the same strictly in accordance with law and pass appropriate orders within a period of 12 weeks from the date of receipt of copy of this order. The petitioner shall make a fresh representation to the second respondent along with a copy of the representations dated 02.12.2019 and 17.02.2020 and a copy of this order. The petitioner shall also submit all the relevant documents through which he is claiming right and title over the property.

5. This writ petition is disposed of with the above direction. No costs.

Sd/-
Asst.Registrar (CS-III-MDU)

/true copy/

Sub Asst. Registrar

AT

To

1.The District Collector,
Collectorate,
Nilgiris.

2.The Tahsildar,
Kunda Taluk Office,
Kunda, Nilgiris District.

+1 CC to the Government Pleader, High Court, Madras

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