

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2020

CORAM :

The HON'BLE MR.JUSTICE M.DURAI SWAMY

W.P.No.32554 of 2016

S. Natarajan

...Petitioner

vs

1. The District Collector,
Collectorate Buildings,
Tiruppur District.

2. The Tahsildar,
Madathukulam,
Tiruppur District.

3. Thangavel
[R3 - Impleaded as per court order dated
22.09.2020 in W.M.P.No. 31800/2016.in
W.P No. 32554/2016]

...Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuing a Writ of Mandamus, directing the respondent to consider the representation of the petitioner dated 22.07.2016 for grant of patta by incorporating the name of the petitioner in S.No.341/A1B at Sarkar Kannadipudur Village, Madathukulam Taluk, Tiruppur District, within the stipulated time.

For Petitioner : Mr. N. Umapathi

For Respondents : Mrs. K. Bhuvaneswari
Additional Government Pleader

O R D E R

The petitioner has filed the above Writ Petition to issue a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 22.07.2016 for grant of patta by incorporating the name of the petitioner in S.No.341/A1B at Sarkar Kannadipudur Village, Madathukulam Taluk, Tiruppur District, within a time frame.

2. Mr. N. Umapathi, learned counsel appearing for the

petitioner submitted that the 2nd respondent has erroneously included the petitioner's name in S.No.341/A1A instead of S.No.341/A1B, therefore, the 2nd respondent should be directed to rectify the mistake committed by him.

3. Mrs. K. Bhuvaneswari, learned Additional Government Pleader, appearing for the respondents, submitted that the petitioner's representation dated 22.07.2016 has already been considered by the 2nd respondent as early as on 01.11.2016 and therefore, nothing survives for adjudication in the present Writ Petition.

4. The 2nd respondent has also filed a counter wherein he has stated that the representation of the petitioner was considered and the same was rejected on 01.11.2016.

5. In view of the averments stated in the counter affidavit and also the submissions made by the learned Additional Government Pleader, since the 2nd respondent had already considered the petitioner's representation by rejecting the same, the Writ Petition is liable to be dismissed. Accordingly, the same is dismissed. However, it is open to the petitioner to challenge the issuance of patta as per the provisions of section 12 of the Patta Passbook Act. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

Rj

To

1. The District Collector,
Collectorate Buildings,
Tiruppur District.

2. The Tahsildar,
Madathukulam,
Tiruppur District.

+1cc to The Government Pleader, SR.No. 31138

W.P.No.32554 of 2016

AJS (CO)
RN(20/10/2020)