



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.11.2020**

CORAM:

THE HONOURABLE MR.JUSTICE **S.VAIDYANATHAN**

W.P(MD)No.14898 of 2020

P.Pandiarajan

... Petitioner

Vs.

The Tahsildhar,
Andipatti Taluk,
Theni District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to dispose of the representation dated 04.04.2018 of the petitioner on merits.

For Petitioner

: Mr.C.Sivanesan

For Respondent

: Mr.M.Murugan

Government Advocate

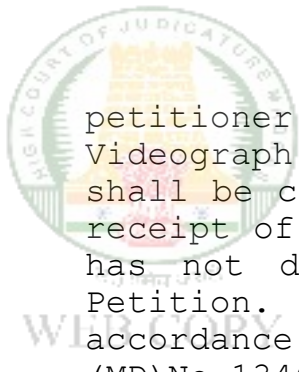
ORDER

This writ petition has been filed for issuance of a direction to the respondent to dispose of the representation of the petitioner, dated 04.04.2018.

2. Mr.M.Murugan, learned Government Advocate takes notice for the respondent. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The petitioner has submitted his representation dated 04.04.2018 to the respondent, in order to conduct proper enquiry and cancel the patta issued in favour of one Rajeswari, W/o.Elangovan. According to the petitioner, the said Rajeswari illegally occupied the vacant site on the eastern side of the petitioner's house, which belonged to him, by way of forged and fabricated settlement deed dated 07.03.1981 registered as document No.492 of 1982 in the office of the Sub Registrar, Andipatti. But, the said representation was not considered so far. In such circumstances, the petitioner has come forward with the present Writ Petition.

4. Considering the facts and circumstances, the respondent is directed to consider the representation of the petitioner, dated 04.04.2018 and pass appropriate orders in accordance with law, after hearing the petitioner and the necessary parties. In case of issuance of patta, survey needs to be conducted and the said survey shall be photographed and videographed in the presence of the



petitioner and necessary parties and the costs of photograph and Videograph to be borne by the party seeking patta. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not decided the rights of the parties in the present Writ Petition. It is open to the respondents to decide the same in accordance with law. The guidelines issued by this Court in W.P. (MD)No.13465 of 2020 dated 13.10.2020 should be followed wherever it is applicable.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

PJL

Note:In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

The Tahsildhar,
Andipatti Taluk,
Theni District.

W.P (MD) No.14898 of 2020
04.11.2020

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