



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.09.2020

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THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR

W.P(MD).No.12361 of 2020

A.Selvaraj

.. Petitioner

Vs.

1.The District Collector,
District Collectorate,
Madurai District.

2.The Tahsildar,
Melur Taluk,
Madurai District.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to issue patta based on the petitioner's representation dated 28.07.2020 within a time stipulated by this Court.

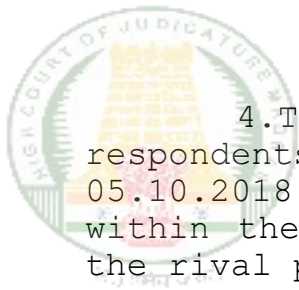
For Petitioner	:	M/s.V.Vilma Remy
For Respondents	:	Mr.C.M.Mari Chelliah Prabhu Additional Government Pleader

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the 2nd respondent to issue patta based on the petitioner's representation dated 28.07.2020 within a time stipulated by this Court.

2.Heard M/s.V.Vilma Remy, learned counsel for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader, who takes notice for the respondents and by consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

3.According to the petitioner, he made an application to the 2nd respondent for issuing a patta in his name in respect of the property situated in S.No.337/11, but, unfortunately, the 2nd respondent wrongly granted the patta in patta No.588, to the petitioner by mentioning the survey number as S.No.337/27. Therefore, again the petitioner approached the 2nd respondent to change the survey number. But the 2nd respondent insisted him to file an application to cancel the patta and again to grant new patta. Accordingly, the patta in Patta No.588 was cancelled and mutated to its original owner. Thereafter, the petitioner on 05.10.2018, made an application to issue new patta to the petitioner in respect of the property in S.No.337/11. He has also sent a reminder on 28.07.2020. But, so far, the representation of the petitioner was not considered by the 2nd respondent. Hence, the present writ petition.



4.The learned Additional Government Pleader appearing for the respondents submits that the representation of the petitioner dated 05.10.2018 and 22.07.2020 will be considered in accordance with law within the time stipulated by this Court, after serving notice to the rival parties, if any.

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5.Considering the limited scope of the prayer sought for in the writ petition and considering the materials available on record and the facts of this case, without expressing any opinion on the merits of the case, this Court is inclined to dispose of the writ petition with the following direction.

(i)The second respondent is directed to consider the petition filed by the petitioner dated 15.10.2018 and the reminder on 28.07.2020 and dispose of the same in accordance with law, after providing opportunity to the concerned parties.

(ii)The entire exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above direction, this writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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

1.The District Collector,
Madurai District,
Madurai.

2.The Tahsildar,
Melur Taluk,
Madurai District.

+1 CC to M/s.SPL GP (SR-17983[F] dated 24/09/2020)

+1 CC to M/s.V. VILMA REXY, Advocate (SR-18044[F] dated 25/09/2020)

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23.09.2020

SCR (CO)

KB (05.10.2020) 2P 5C

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