



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **26.08.2020**
CORAM:

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD)No.6249 of 2019

J.Pakiyathai

... Petitioner

Vs.

1.The District Collector,
O/O.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Madurai South Taluk,
Madurai District.

... Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writs of Mandamus, to direct the respondents to issue patta in the name of the petitioner to her property of Plot Nos.16 and 17 measuring 11 cents and 316 Sq. feet comprised in R.S.No.77/6 situated at Thanakkankulam Village, Madurai South Taluk, Madurai District by considering the petitioner's representation dated 28.02.2019 within the stipulated time.

For Petitioner : Mr.M.M.Saravanan

For Respondents : Mr.C.Ramesh,
Special Government Pleader

ORDER

This writ petition is filed seeking for a direction, to direct the respondents to issue patta to the land in Plot Nos.16 and 17 measuring 11 cents and 316 Sq. feet comprised in R.S.No.77/6 situated at Thanakkankulam Village, Madurai South Taluk, Madurai District, based on the representation dated 28.02.2019.

2.The learned counsel appearing for the petitioner would submit that originally the Plot Nos.16 and 17 measuring 11 cents and 316 Sq. feet comprised in R.S.No.77/6, situated at Thanakkankulam Village, Madurai South Taluk, Madurai District, belonged to one Mrs.Petchiammal and her family members. Thereafter, the said Petchiammal and others jointly sold the said property to the petitioner, by virtue of sale deed dated 12.06.1974, and the same



has been registered in Document No.2665 of 1974. From the date of sale deed, the petitioner is in possession and enjoyment of the property. He would also submit that in order to split up the property for his legal heirs, the petitioner approached the respondents for issuing patta in his favour. In this regard, on 28.02.2019, the petitioner sent a representation to the respondents. Till then, no steps has been taken. Hence, he filed this present Writ Petition.

3.The learned counsel appearing for the petitioner would further submit that it is suffice, if a direction is issued to the respondents to consider the petitioner's representation dated 28.02.2019.

4.The learned Special Government Pleader appearing for the respondents would submit that the petitioner's representation dated 28.02.2019 would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5. Considering the limited scope of the prayer in this Writ Petition, this Court is inclined to direct the respondents to consider the petitioner's representation dated 28.02.2019 and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner and the interested parties, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

6.This Writ Petition is disposed of, with the above direction. No costs.

Sd/-

Deputy Registrar (Accounts)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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,
O/O.The District Collector,
Madurai District, Madurai.

2.The Tahsildar,
Madurai South Taluk,
Madurai District.

W.P. (MD) No.6249 of 2019
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das

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