



W.P. (MD) Nos.13048 and 13064 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :30.09.2020

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) Nos.13048 and 13064 of 2020

WEB COPY

T.Patturaj ...Petitioner in W.P.(MD) No.13048 of 2020

T.Vijayaraj ...Petitioner in W.P.(MD) No.13064 of 2020

Vs

The Tahsildar,
Ottapidaram Taluk,
Ottapidaram,
Tuticorin District.

...Respondent in both W.Ps.,

COMMON PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondent to issue separate patta in the name of the petitioners over an extent of 2.06 acres of land in Sy.No.186/1B, Jambulingapuram village, Ottapidaram taluk, Thoothukudi District allotted to the share of the petitioners in the Final Decree passed by the court of the learned 2nd Additional District Judge, Thoothukudi dated 20.03.2018 in I.A.No.70 of 2015 in O.S.No.37 of 2013 and earmarked as 'EFQS' and 'FGPQ' respectively in the advocate commissioner's report forming part of the said Final Decree and joint Patta over an extent of 2.57 acres of land in Sy.No.186/1B, Jambulingapuram village, Ottapidaram taluk, Thoothukudi District earmarked as a common pathway in "N M O P Q S T Z I Z Y V VI NI" of the Advocate Commissioner's report within a time period to be prescribed by this Hon'ble Court in the light of the petitioner's representation dated 22.06.2020.

For Petitioners

in both W.Ps.,

: Mr.N.Dilip Kumar

For Respondent

in both W.Ps.,

: Mr.M.Pandiarajan

Additional Government Pleader

COMMON ORDER

These Writ Petitions are filed to direct the respondent to issue separate patta for the property in Sy.No.186/1B, situated at Jambulingapuram Village, Ottapidaram Taluk, Thoothukudi District.

2.By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

<https://hcservices.ecourts.gov.in/hcservices/>



3. According to the petitioners, with the relief sought for in the prayer, though they have made representations dated 22.06.2020 before the respondent through online on the basis of the final decree dated 20.03.2018 passed in I.A.No.70 of 2015 in O.S.No.37 of 2013 by the learned 2nd Additional District Judge, Thoothukudi, so far no action has been taken. Hence, the petitioners are before this Court.

4. In reply, the learned Additional Government Pleader appearing for the respondent, on instructions, would submit that by rejecting the claim of the petitioners, the respondent had passed final orders stating that the petitioners have not produced any relevant documents in support of his claim. In this regard, he has produced a copy of the proceedings of the respondent dated 30.09.2020

5. At this juncture, the learned counsel appearing for the petitioners requested this Court liberty may be given to the petitioners to make fresh representations before the respondent to seek their remedy along with necessary documents.

6. In the light of the above, this Court is inclined to pass the following directions:-

i) the petitioners are directed to file fresh representations, before the respondent to seek their remedy along with necessary documents, within a period of two weeks from the date of receipt of a copy of this order;

ii) on receipt of such representations within the time stipulated by this Court, the respondent is directed to consider the same and pass appropriate orders on merits and in accordance with law, as expeditiously as possible;

7. With the above directions, the Writ Petitions stand disposed of. No costs.

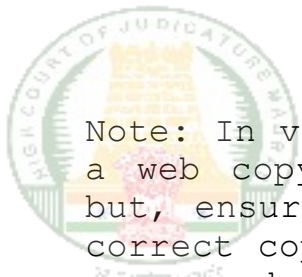
Sd/-

Assistant Registrar (CS-II)

// 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.

WEB COPY

To

The Tahsildar,
Ottapidaram Taluk,
Ottapidaram,
Tuticorin District.

+2 CC to Mr.N. DILIPKUMAR, Advocate (SR-18852, 18853[F] dated 01/10/2020)

+1 CC to SGP (SR-19033[F] dated 05/10/2020)

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30.09.2020

MR (CO)
KM (09.10.2020) 3P 5C