



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **03.11.2020**

CORAM:

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

W.P (MD) No.15132 of 2020

Annakili

... Petitioner

Vs.

1.The Sub Collector,
Aranthangi,
Pudukottai District.

2.The Tahsildar,
Aranthangi Taluk,
Pudukottai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to implement the order of the first respondent passed in his proceedings in Mu.Mu.2591/2017/A6 dated 28.09.2018 by considering the petitioner's representation dated 24.01.2020.

For Petitioner : Mr.T.Lenin Kumar

For Respondents : Mr.P.Kannithevan

Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a direction to the second respondent to implement the order of the first respondent passed in his proceedings in Mu.Mu.2591/2017/A6 dated 28.09.2018 by considering the petitioner's representation dated 24.01.2020.

2. Mr.P.Kannithevan, Additional Government Pleader takes notice for the respondents. By consent, the writ petition is taken up for disposal at the admission stage itself.

3. The case of the petitioner is that the petitioner and her brother-in-law jointly purchased the properties comprised in Survey Nos.303/6, 303/11, 303/12 measuring about 0.10.5 Ares, 0.10.5 Ares, 0.09.0 Ares respectively, totally 539.5 sq. meter, situated at Rethinakottai Village, Aranthangi Taluk, Pudukottai through a valid registered sale deed in Document No.2459. Thereafter, they made an application before the second respondent for issuance of Patta for the above said property. The second respondent sub-divided the property and issued Patta No.9557 for the property comprised in Survey Nos.303/11B2, 303/6A2 and Patta No.9594 for the property comprised in Survey No.303/12A. The total extent of the property is 0.5.39 Ares. Whereas, the Patta was issued for 4.87 Ares alone. Since the extent was wrongly mentioned in the Patta, the petitioner made a representation to the first respondent for which the first respondent directed the second respondent to conduct an enquiry and submit a report. Based on the report submitted by the second



respondent, the first respondent, vide his proceedings dated 28.09.2018, directed the second respondent to carry out necessary corrections in the Patta. But till today, the second respondent did not comply the order of the first respondent. Hence, the petitioner submitted a representation dated 24.01.2020 to comply the order dated 28.09.2018. But the said representation was not considered so far. In such circumstances, the petitioner has come forward with the present Writ Petition.

4. Learned counsel for the petitioner would submit that it would suffice, if the representation of the petitioner dated 24.01.2020 is disposed of by the second respondent at the earliest.

5. Learned Additional Government Pleader appearing for the respondents would submit that the second respondent is prepared to consider the application of the petitioner and to pass suitable orders on the same.

6. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the representation dated 24.01.2020 submitted by the petitioner and to pass appropriate orders in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, if there is no legal impediment to do so.

7. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CSII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

PJL

To

1.The Sub Collector,
Aranthangi,
Pudukottai District.

2.The Tahsildar,
Aranthangi Taluk,
Pudukottai District.

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