



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.08.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P. (MD) No.2476 of 2018

Dhanabalan

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

3.A.M.Maheshprabhu

4.Nivethitha ... Respondents
(R4 impleaded vide court order
dated 06.08.2020 in WMP(MD).12674 of 2018
in WP(MD).2467 of 2018)

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent herein to issue separate patta in respect of the petitioner's landed property comprised in Survey No.198-2C to an extent of 2 Acres, 66 cents situated at Melavaniyankudi Village, Sivagangai Taluk, Sivagangai District after making necessary sub division and after giving necessary opportunity to the third respondent herein by considering his application dated 17.06.2016 and for other reliefs.

For Petitioner : Ms.K.Vidya
for Mr.J.Lawrance

For R1 & R2 : Mr.C.M.Marichelliah Prabhu
Additional Government Pleader

For R3 : Mr.R.Vijayakumar

For R4 : Mr.D.Selvanayagam



ORDER

The petitioner seeks for a direction to issue separate patta in the petitioner's name in respect of the property in question, by considering his representation dated 17.06.2016.

2.The learned counsel appearing for the petitioner would submit that the petitioner has purchased 2 acre 66 cents in Survey No.198/2 situated at Melavaniyankudi Village, Sivagangai Taluk from one Vellaisamy Servai, Pitchai Servai and Meenakshi Sundaram through three registered sale deeds dated 28.04.1987. In this regard, the petitioner has submitted a representation dated 17.06.2016 to the second respondent to issue separate patta in respect of his property. Since no order is passed by the second respondent, the petitioner is before this Court.

3.The learned Counsel appearing for the third respondent would submit that at the time of disposing the petitioner's representation, sufficient opportunity may be granted to the third respondent.

4.The learned Additional Government Pleader submits that the second respondent will pass appropriate order on the representation of the petitioner dated 17.06.2016 as early as possible.

5.Recording the submission of the learned Additional Government Pleader, without expressing any opinion on the merits of the matter, there shall be a direction to the second respondent to consider the representation of the petitioner, dated 17.06.2016, and pass appropriate orders on merits and in accordance with law as expeditiously as possible, preferably, within a period of two weeks from the date of receipt of a copy of this order. Such an exercise shall be done after conducting enquiry and after giving due opportunity to the petitioner as well as to the persons who may be interested in the subject matter.

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

Sd/-

Assistant Registrar(Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Rmi



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,
Sivagangai District,
Sivagangai.

2.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

+1 CC to M/s.D. SELVANAYAGAM, Advocate (SR-13779[F] dated 07/08/2020)

+1 CC to M/s.R. VIJAYAKUMAR, Advocate (SR-13788[F] dated 07/08/2020)

+1 CC to M/s.GP (SR-13903[F] dated 12/08/2020)

W.P. (MD)No.2476 of 2018
06.08.2020

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TR(21.08.2020) 3P 6C