



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2021

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.19102 of 2021

P.C.Dhandapani

... Petitioner

-Vs-

1. The District Collector,
Office of the Collectorate,
Tiruvarur.
2. The District Revenue Officer,
Office of the Collectorate,
Tiruvarur.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Mannargudi, Tiruvarur District.
4. The Thasildar,
Taluk Office,
Tiruthuraipoondi Taluk,
Tiruvarur District.

5. Gunasekari

... Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents more particularly the fourth respondent to issue patta in respect of all that piece and parcel of vacant natham land comprised in Old Survey No.178/3, New Survey No.178/1, T.S.No.6, Block No.1, Ward 'C' of Tiruthuraipoondi Village, Thiruthuraipoondi Taluk, Tiruvarur District measuring about 1454 sq.ft = 135.08 sq.ft situated at Sannadhi Street, Thiruthuraipoondi Town.

For Petitioner : Mr.N.Palanivel

For R1 to R4 : Mr.Yogesh Kannadasan
Government Advocate.



ORDER

This Writ Petition has been filed for the issuance of Writ of Mandamus, directing the respondents more particularly the fourth respondent to issue patta in respect of all that piece and parcel of vacant natham land comprised in Old Survey No.178/3, New Survey No.178/1, T.S.No.6, Block No.1, Ward 'C' of Tiruthuraipoondi Village, Thiruthuraipoondi Taluk, Tiruvarur District measuring about 1454 sq.ft = 135.08 sq.ft situated at Sannadhi Street, Thiruthuraipoondi Town.

2. Heard Mr.N.Palanivel, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Government Advocate appearing for the respondents 1 to 4.

3. The case of the petitioner is that the property comprised in Old Survey No.178/3, New Survey No.178/1, T.S.No.6, Block No.1, Ward 'C' of Tiruthuraipoondi Village, Thiruthuraipoondi Taluk, Tiruvarur District, ad-measuring 1454 sq.ft situated at Sannadhi Street, Thiruthuraipoondi Town was purchased by the petitioner from one S.Chandramouli by the registered sale deed, dated 02.11.2011 registered vide Document No.2766 of 2011 in the office of the Sub-Registrar, Thiruthuraipoondi. Thereafter, he constructed a house and also obtained electricity service connection. The house was also assessed to the property tax.

4. In the meanwhile, the fifth respondent herein who is none other than the sister of the petitioner filed a suit in O.S.No.97 of 2011 claiming the subject property as her own and seeking permanent injunction. The said suit was dismissed on 07.10.2016. Though, the fifth respondent filed an appeal suit, there is no interim order in A.S.No.55 of 2016 on the file of the Sub Court, Mannargudi. Therefore, the petitioner filed an application for issuance of patta on the strength of the sale deed, dated 02.11.2011 for the subject property before the fourth respondent.

5. The fourth respondent informed that the land comprised in Survey No.178/1, T.S.No.6, ad-measuring 0.08.56 Ares stood in the name of one Subramanian son of T.K.Muthusamy Ayyar. Whereas, the petitioner purchased the said property from one S.Chandramouli who had no title over the property. Therefore, if the petitioner present any parent document to show that the said S.Chandramouli had title over the property, his request will be considered.

6. Considering the above, the petitioner is directed to produce all the relevant parent documents for the subject



property comprised in Old Survey No.178/3, New Survey No.178/1, T.S.No.6, Block No.1, Ward 'C' of Tiruthuraipoondi Village, Thiruthuraipoondi Taluk, Tiruvarur District, within a period of two weeks from the date of receipt of a copy of this order before the fourth respondent. On receipt of the same, the fourth respondent is directed to conduct an enquiry and pass order to issue patta in favour of the petitioner, within a period of six weeks thereafter.

7. With the above directions, this writ petition is disposed of. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Office of the Collectorate,
Tiruvarur.
2. The District Revenue Officer,
Office of the Collectorate,
Tiruvarur.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Mannargudi, Tiruvarur District.
4. The Thasildar,
Taluk Office,
Tiruthuraipoondi Taluk,
Tiruvarur District.

+1CC to Mr.N.Palanivel, Advocate, Sr.No.58158
+1CC to Mr.Government Pleader, Sr.No.58184

W.P.No.19102 of 2021

PA (CO)
K.RK. (29.11.2021)