



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.02.2021

CORAM:

**THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MRS. JUSTICE S.ANANTHI**

**W.P. (MD)No.1410 of 2021
and W.M.P(MD) No.1208 of 2021
(Through Video Conferencing)**

A.Murugan ... Petitioner
Vs.

1.The District Collector
Dindigul District

2.The Revenue Divisional Officer,
Dindigul District.

3.The Tahsildar
Nilakottai Taluk
Dindigul District.

4.The President
Sithargalnatham Village Panchayat,
Nilakottai Taluk
Dindigul District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for the issue of a Writ of Certiorarified Mandamus to call for the records of the 4th respondent in Na.Ka.No.001/2020 dated 09.12.2020 and quash the same as illegal and in consequence thereof direct the 3rd respondent to issue patta to the petitioner for the Natham Property of 2026 sq. ft. land comprised in old Survey No.86/12 (Corresponding new survey number 433/5) of Kundalapatti, Sithargalnatham Village, Nilakottai Taluk, Dindigul District.

For Petitioner : Mr.P.Ganapathi Subramanian

For Respondents
R1 to R3 : Mr.K.Mu.Muthu
Additional Government Pleader

For R4 : Mr.A. Karthick



ORDER

(Order of the Court was made by M.M.SUNDRESH, J.)

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The petitioner has come forward to file this writ petition challenging the impugned order, by which, he was asked to remove the encroachment by himself, failing which, consequential action would follow.

2.The learned counsel for the petitioner brought to the notice of this Court the proceedings of the respondent No.2, dated 11.11.2020, by which, the third respondent was asked to submit a report on the request made by the petitioner seeking issuance of patta. Inasmuch as the above said proceedings is still pending, we are not inclined to direct the respondent No.4 to defer the further proceedings.

3.Consequently, we direct the respondent No.2 to obtain a report from the respondent No.3 within a period of four weeks from the date of receipt of a copy of this order and thereafter, take a final decision on the issue of granting patta to the petitioner. Based upon the said decision, appropriate final order will have to be passed by the respondent No.4 within a period of four weeks thereafter. Till such time, status quo as on today shall be maintained.

4. The writ petition stands disposed of accordingly. No costs. Consequently connected Miscellaneous petition is closed.

Sd/-

Assistant Registrar

// True Copy //

/ /2021

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
Dindigul District

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



2.The Revenue Divisional Officer,
Dindigul District.

3.The Tahsildar
Nilakottai Taluk
Dindigul District.

+1 CC to Mr.A.KARTHIK, Advocate (SR-2941[F] dated 02/02/2021)

W.P. (MD)No.1410 of 2021
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(ES)
KV(11.02.2021) 3P 5C