



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.5775 of 2021

Periyakaruppan

...Petitioner

Vs.

1.The District Collector,
Office of the Collectorate,
Madurai District.

2.The District Revenue Officer,
Office of the Collectorate,
Madurai District.

3.The Tahsildar,
Madurai East Taluk,
Madurai District.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issuance of Writ of Mandamus to direct the third respondent to issue Patta in Survey No.157/5, at Madurai North, Uthangudi Village, Madurai District in petitioner's favour as per the petitioner's representation dated 12.02.2021 within stipulated time fixed by this Court.

For Petitioner : Mr.A.Rajaram

For Respondents : Mr.R.Suresh Kumar
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a writ of Mandamus directing the respondents to consider the representation made by the petitioner on 12.02.2021, wherein the petitioner has sought for issuance of patta in his favour with respect to the subject property.

2, In the present case, the petitioner is claiming patta on the basis of possession and enjoyment of the property for more than 40 years. The further case of the petitioner is that the adjacent land owners have been issued with patta. The petitioner made a representation in this regard on 12.02.2021. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.



3. Heard Mr.A.Rajaram, learned counsel appearing for the petitioner and Mr.R.Suresh Kumar, learned Government Advocate takes notice for the respondent.

4. The learned Government Advocate appearing on behalf of the respondents submitted that the petitioner is claiming to be in possession and enjoyment of Survey No.157/5 and this has been classified as water body.

5. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the third respondent to consider the representation made by the petitioner on 12.02.2021 and deal with the same strictly in accordance with law and pass orders within a period of four weeks from the date of receipt of a copy of this order.

6. This writ petition is disposed of with the above directions.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

ssb

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,
Office of the Collectorate,
Madurai District.

2.The District Revenue Officer,
Office of the Collectorate,
Madurai District.

3.The Tahsildar,
Madurai East Taluk,
Madurai District.

+1 CC to M/s.A.RAJARAM, Advocate (SR-20505[F] dated 29/06/2021)

+1 CC to M/s.SPL GP (SR-20696[F] dated 30/06/2021)

W.P. (MD) .No.5775 of 2021

28.06.2021