



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 20.04.2021**

**CORAM :**

**THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH**

**W.P. (MD) .No.8100 of 2021**

P.Satheesh Swaminathan

...Petitioner

Vs.

1. The District Collector,  
Nagercoil, Kanyakumari District.

2. The Tahsildar,  
Agastheeswaram Taluk,  
Nagercoil, Kanyakumari District.

3. Joshua Messiah Dhas

... Respondents

**Prayer:** This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to issue patta in favour of the petitioner by entering his name in Patta Pass Book No.12297 and further to mutate all revenue records in the petitioner's favour, with respect to the property comprised in R.S.No.682/18, situated at the then Alagappapuram Village, now, Anjugrammam Village, Agastheeswaram Taluk, Kottaram Sub District, Kanyakumari District, by considering the representation of the petitioner dated 29.02.2021, within the time stipulated by this Court.

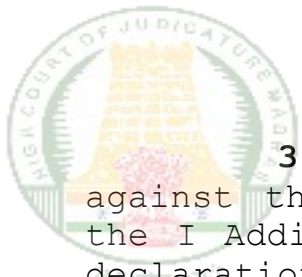
For Petitioner : Mr.C.Kishore

For R-1 & R-2 : Mr.M.Rajarajan  
Additional Government Pleader

**ORDER**

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the second respondent to consider the representation made by the petitioner on 29.02.2021, wherein, the petitioner is seeking for issuance of patta in his name with respect to the subject property.

2. The case of the petitioner is that he purchased the subject property by virtue of a registered sale deed dated 15.09.2020. The further case of the petitioner is that the property was originally owned by the third respondent and the patta also stood in his name. According to the petitioner, after the property was purchased by him and he became the absolute owner of the property, the petitioner made an application for mutation of revenue records in his name.



3. In the mean time, the third respondent filed a suit against the petitioner and others in O.S.No.251 of 2020, before the I Additional Sub Court, Nagercoil, seeking for the relief of declaration and injunction. According to the petitioner, the matter is now settled between the parties and the third respondent has no objection in mutating the revenue records in the name of the petitioner. The petitioner, therefore, made a representation before the second respondent on 29.02.2021 seeking for issuance of patta in his name, with respect to the property. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.C.Kishore, learned counsel appearing on behalf of the petitioner and Mr.M.Rajarajan, learned Additional Government Pleader appearing on behalf of the respondents 1 and 2.

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 second respondent to consider the representation made by the petitioner on 29.02.2021 on its own merits and in accordance with law and shall give an opportunity to the petitioner and the third respondent before taking a decision and pass appropriate orders within a period of eight (8) weeks from the date of receipt of a copy of this order.

5. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

6. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (Records)

/ True Copy/

/ /2021

Sub Assistant Registrar(CS)

tsg

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,  
Nagercoil, Kanyakumari District.

2. The Tahsildar,  
Agastheeswaram Taluk,  
Nagercoil, Kanyakumari District.

+1 CC to M/s.C.KISHORE, Advocate (SR-16560[F] dated 20/04/2021)

+1 CC to M/s.SPL GP (SR-16925[F] dated 21/04/2021)

**Order made in**  
**W.P. (MD) .No.8100 of 2021**

**20.04.2021**

SSI (06.05.2021) 3P 5C