



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : **04.06.2021**

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9242 of 2021

WEB COPY
P.Selvaraj

... Petitioner

Vs.

1.The District Collector,
Trichy District, Trichy.

2.The Area Manager,
LIC Housing Finance Limited,
35/1, 35/2, Amutha Sree Flats,
1st Floor, Reynolds Road,
Contonment, Trichy-620 001.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to issue a patta to the petitioner as per second respondent's letter, dated 03.10.2007 in petitioner favour by considering the petitioner's representation, dated 19.03.2021 within stipulated time fixed by this Court.

For Petitioner : Mr.A.Rajaram

For R1 : Mr.P.Thillak Kumar,

Standing Counsel for Government

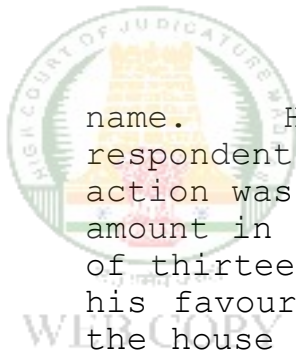
ORDER

Mr.P.Thilak Kumar, learned Standing Counsel, accepts notice on behalf of the first respondent. Notice to the second respondent is dispensed with in view of nature of the order to be passed by this Court.

2.By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3.This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the first respondent to issue a patta to the petitioner as per second respondent's letter, dated 03.10.2007 by considering the petitioner's representation, dated 19.03.2021.

4.The case of the petitioner is that based on the advertisement published in Dhinamalar Tamil daily newspaper on 10.02.2007, the petitioner purchased a property, which is situated in S.No.34/3, 34/4, Plot No.8, Old Door No.2/221 from LIC Housing Finance Limited for a sum of Rs.4,60,000/- on 16.03.2007. After purchasing the said property, the second respondent has not registered the same in his



name. Hence, the petitioner made a representation to the respondents on 15.02.2021 to take necessary steps. However, no action was taken by the respondents. The petitioner has settled the amount in time and there is no balance of payment. After completion of thirteen years, no document was made by the second respondent in his favour. From the date of purchasing, the petitioner is paying the house tax, water tax in his name and the electricity connection is also in his name, but patta was not issued by the first respondent in his favour.

5.The further case of the petitioner is that the second respondent gave a representation to the first respondent to make a registration of the auction property on 03.10.2007. However, the first respondent did not take any proper steps to register the sale deed. Hence, the petitioner made a representation to the first respondent on 19.03.2021 to take steps to register the aforesaid property and to issue patta in his favour. Since no action has been taken by the first respondent, the present Writ Petition came to be filed.

6.The learned counsel for the petitioner would state that it would be suffice if a direction is given to dispose of the representation of the petitioner.

7. The learned standing counsel for the first respondent would state that the representation of the petitioner would be considered within a reasonable time.

8.Considering the submissions of the learned counsel for the petitioner as well as the first respondent and in the light of the facts and circumstances of the case, without going into the merits of the case projected by the petitioner either in his representation or in this Writ Petition, the first respondent is directed to consider the representation of the petitioner dated 19.03.2021 on merits and in accordance with law and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order. Such an exercise shall be done after giving due opportunity to the petitioner as well as to the second respondent and any other persons who may be interested in the subject matter.

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

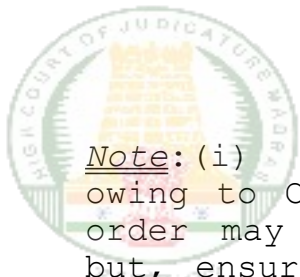
Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



Note: (i) 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.

sjj

To:

1.The District Collector,
Trichy District, Trichy.

2.The Area Manager,
LIC Housing Finance Limited,
35/1, 35/2, Amutha Sree Flats,
1st Floor, Reynolds Road,
Contonment, Trichy-620 001.

+1 CC to M/s.A.RAJARAM, Advocate (SR-18872[F] dated 07/06/2021)

+1 CC to M/s.SPL GP (SR-18911[F] dated 07/06/2021)

W.P (MD) No. 9242 of 2021

04.06.2021

GS (18.06.2021) 3P 5C