



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P(MD)No.9172 of 2021

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Boras

... Petitioner

Vs.

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

3.The Zonal Deputy Thasildar,
Eral Taluk,
Thoothukudi District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the third respondent to issue PATTA based on the petitioner's application pending in Application No.2020/0103/28/229225, dated 13.10.2020 on the file of the third respondent.

For Petitioner

: Mr.V.Angusamy.

For R1 to R3

: Mr.P.Thillak Kumar,
Standing Counsel for Government

ORDER

Mr.P.Thilak Kumar, learned Standing Counsel for the Government, accepts notice on behalf of the respondents.

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 third respondent to issue patta based on the petitioner's application pending in Application No.2020/0103/28/229225, dated 13.10.2020 on the file of the third respondent.

4.According to the petitioner, the petitioner's father purchased a land measuring 22 cents comprised in Survey No.442/B9 at Palayakayal Village, Srivaikundam Taluk, Thoothukudi District through the settlement deed executed by his brother Joseph Fenando vide document No.1549/1968, dated 03.12.1968. In respect of the said property, patta stood in the name of the petitioner's father. The petitioner's father died on 07.05.1997 and after his demise, the



petitioner was in possession and enjoyment of the property. In this regard, the petitioner sent application dated 13.10.2020 to the third respondent for transferring patta in his name. Since no action was taken by the respondents, the Writ Petition came to be filed.

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5. 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.

6. The learned standing counsel for the respondents would state that the representation of the petitioner would be considered within a reasonable time.

7. Considering the submissions of the learned counsel for the petitioner as well as the respondents 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 third respondent is directed to consider the representation of the petitioner dated 13.10.2020, on merits and in accordance with law by giving notice to all the concerned persons and pass appropriate orders within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above direction, the writ petition is disposed of. No Costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Thoothukudi District,
Thoothukudi.



2.The Revenue Divisional Officer,
Tiruchendur,
Thoothukudi District.

3.The Zonal Deputy Thasildar,
Eral Taluk,
Thoothukudi District.

+1 CC to M/s.SPL GP (SR-18809[F] dated 04/06/2021)

+1 CC to M/s.V.ANGUSAMY, Advocate (SR-18780[F] dated 04/06/2021)

W.P (MD) No.9172 of 2021
03.06.2021

KK(15.06.2021) 3P 6C