



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 21.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD)No.10694 of 2020

(Through Video Conferencing)

M.Jahirhussain

... Petitioner

Vs.

1.The Tahsildar

Tahsildar Office,
Madurai North Taluk
Madurai District.

2.C.Pappa

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the respondent to issue patta in the petitioner's name for the land in S.No.1/1 to the extent of 54 cents situating in Maranivariyanenthal Village, Madurai North Taluk, Madurai District based on the sale deed in Document No.732 of 2015 by considering his representation to the 1st respondent dated 08.05.2018 within the period stipulated by this Court.

For Petitioner

:Mr.S.Selvakumar

For Respondents

:Mr.M.Lingadurai for R1

Government Advocate

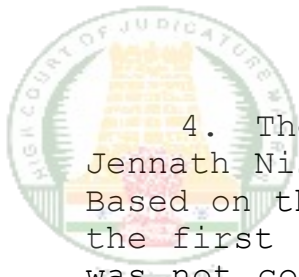
Mr.P.T.Ramesh Raja for R2

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the first respondent to consider the representation made by the petitioner on 08.05.2018, wherein the petitioner has sought for the issuance of patta in his name with respect to the subject property.

2. Heard the learned counsel for the petitioner, the learned Government Advocate for the first respondent and the learned counsel for the 2nd respondent.

3. It is seen from the records that the subject property was given as a security by the second respondent, while she stood as a guarantor for the loan borrowed by one S.Balasubramaniam. Due to the non payment of the loan, the bank initiated proceedings under the SARFAESI Act. The property was brought for auction sale and a sale certificate was issued in the name of one Jennath Nisha on 10.06.2013.



4. The petitioner has purchased the property from the said Jennath Nisha by virtue of a registered sale deed dated 05.01.2015. Based on this sale deed, the petitioner made a representation before the first respondent seeking for issuance of patta. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

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 first respondent to consider the representation made by the petitioner on 08.05.2018 after affording an opportunity to the petitioner and the second respondent and deal with the same on its own merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order.

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

7. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

RR

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
The Tahsildar
Tahsildar Office,
Madurai North Taluk
Madurai District.

+1 CC to M/s.SPL GP (SR-19920[F] dated 22/06/2021)

W.P. (MD)No.10694 of 2020
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KB(02.07.2021) 2P 3C