



WEB COPY

W.P.(MD)No.11056 of 2021
Jeyabharathi v. The Tahsildar

BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 05.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD)No.11056 of 2021

(Through Video Conferencing)

M.Jeyabarathi

... Petitioner

Vs.

The Tahsildar
O/o. the Tahsildar
Madurai East Taluk
Othakadai
Madurai 625 107

... Respondent

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 provide 2C patta to the petitioner in respect of the trees situated in an extent of 300 sq. ft. in S.No.1/3, 1/3P, Melamadai II Bit, Madurai East Taluk, Madurai District by way of considering the representation dated 17.09.2021 within the time period stipulated by this Court.

For Petitioner

:Mr.T.Lajapathi Roy

For Respondent

:Mr.R.Sureshkumar

Government Advocate

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the respondent to consider the representation made by the petitioner on 17.09.2020, wherein, the petitioner has sought for issuance of 2C patta in the name of the petitioner with respect to the property, in which, the petitioner has planted trees and is maintaining the same.

2. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondent.

3.The case of the petitioner is that the property situated in S.No.3/3B and 3/5B measuring an extent of 5 cents belongs to the petitioner and her family members and a patta has also been granted in Patta No.411. The further case of the petitioner is that in the adjacent property, the petitioner has planted and grown trees and this property is a Government poramboke land. According to the petitioner, under the Revenue Standing Orders, where such adjacent lands are put to use and it is a Government poramboke land, the respondent can grant 2C patta for those persons, who are in possession and enjoyment of the property. The petitioner accordingly made a representation to the respondent in this regard on 17.09.2020 seeking for 2C patta. Since the same was not considered, the



present writ petition has been filed before this Court seeking for appropriate directions.

4. 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 respondent to consider the representation made by the petitioner on 17.09.2020 and deal with the same on its own merits and in accordance with the Revenue Standing Orders and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order.

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

6. This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CS II)

// 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
O/o. the Tahsildar
Madurai East Taluk
Othakadai
Madurai 625 107

+1 CC to M/s.SPL GP (SR-21340[F] dated 06/07/2021)

+1 CC to MR.T.LAJAPATHI ROY, Advocate (SR-21276[F] dated

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MGJ (13.07.2021) 2P 4C