



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.07.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.12602 of 2021

K.Murugesan

... Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Nilakkottai, Dindigul District.

3. The Tahsildar,
Nilakkottai Taluk,
Dindigul District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 3rd respondent to issue the Patta infavour of the Petitioner in respect of the property in Block No.733.23, Block No.733.185 and New Survey No.733/15, Old Survey No.280/3 situated at Kombaipatti Village, Nilakkottai Taluk, Dindigul District, on the basis of the Petitioner's representation dated 24.11.2020 within a time frame to be stipulated by this Hon'ble Court.

For Petitioner : Mr.Ramkumar. A

For Respondents : Mr.R.Sureshkumar
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the third respondent to consider the representation made by the petitioner on 24.11.2020 wherein the petitioner is seeking for issuance of patta in his favour with respect to the subject property.

2. The case of the petitioner is that the subject property was originally owned by his mother, brother and his father and all of them executed settlement seeds in favour of the petitioner in the



year 2011. Thereafter, the petitioner became the absolute owner of the property and he is in possession and enjoyment of the same.

3. The petitioner made an application / representation on 24.11.2020 before the third respondent seeking for issuance of patta. Since the same was not acted upon, the present Writ Petition has been filed before this Court seeking for appropriate directions. The specific case of the petitioner is that there is no rival claim made by anyone and even the suit that was filed by the petitioner against one Muniyandi seeking for the relief of permanent injunction was decreed in his favour by Judgment and Decree, dated 15.11.2017.

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 third respondent to consider the representation made by the petitioner on 24.11.2020 and deal with the same on its own merits and in accordance with law and pass appropriate orders within a period of six (6) weeks from the date of receipt of a copy of this order. If there are any other interested parties claiming right over the subject property, they shall also be issued with notice and an opportunity shall also be given to them.

5. The petitioner is directed to make a fresh representation to the third respondent along with a copy of this order.

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

Sd/-

Assistant Registrar (P&A)

// 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,
Dindigul District,
Dindigul.



2. The Revenue Divisional Officer,
Revenue Divisional Office,
Nilakkottai, Dindigul District.

3. The Tahsildar,
Nilakkottai Taluk,
Dindigul District.

+1 CC to M/s.A.RAMKUMAR, Advocate (SR-24086[F] dated 27/07/2021)

W.P. (MD) .No.12602 of 2021

Dated :27.07.2021

RK (04.08.2021) 3P 5C