



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.12731 of 2021

and

W.M.P. (MD) .No.9919 of 2021

WEB COPY

A.Anthuwan Lawrance

...Petitioner

Vs.

1.The District Collector,
Tiruchirappalli District.

2.The District Revenue Officer,
Tiruchirappalli District.

3.The Revenue Divisional Officer,
Tiruchirappalli District.

4.The Tahsildar,
Tiruchirappalli East,
Tiruchirappalli District.

5.The Village Administrative Officer,
Varaganeri Village,
Tiruchirappalli District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent herein to grant patta for the property at Door No.23A, Old T.S.No.2331/6A, New T.S.No.48, Old Block No.25, New Block No.42, Old Ward No.8, New Ward I, for an extent of 2594 Square Feet or 0.241.0 Sp.m. in Varaganeri Village, Tiruchirappalli East Taluk, Tiruchirappalli District, as per the petitioner's application dated 26.12.2016, within the time frame fixed by this Court.

For Petitioner
For Respondents

: Ms.J.Anandhavalli
: Mr.M.Lingadurai
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the respondents to consider the application made by the petitioner, on 26.12.2016 and to grant patta in the name of the petitioner with respect to the subject property.

2.The case of the petitioner is that he became the owner of the subject property by virtue of a registered sale deed, dated 09.08.2010. Thereafter, the petitioner has paying the corporation taxes and the electricity bills in his name and he is in possession and enjoyment of the property. The petitioner made an application, on 26.12.2016, seeking for grant of patta by enclosing all the relevant documents. The application was made before the third respondent and the third respondent



in turn through letter, dated 08.02.2017, directed the fourth respondent to enquire into the application and submit a report.

3.The further case of the petitioner is that the third respondent thereafter, called the petitioner for an enquiry in the year 2017 and the petitioner appeared for the enquiry and submitted all the documents and also gave a statement before the third respondent.

4.The grievance of the petitioner is that every time the petitioner is made to undergo the process of enquiry and survey of the property and thereafter, nothing happens and till now five Revenue Divisional Officers have dealt with the application given by the petitioner. Therefore, the petitioner made a representation before the first respondent and the first respondent thereafter, again forwarded the records to the third respondent. The petitioner is not able to find any improvement in the enquiry and from the year 2016 onwards, the petitioner is running from pillar to post to get a patta in his name with respect to the subject property. Therefore, the petitioner has approached this Court, seeking for appropriate directions.

5.Heard Ms.J.Anandavalli, learned counsel for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the respondents.

6.Taking into consideration the facts and circumstances of the case and the manner in which the petitioner has been made to run from pillar to post from the year 2016 onwards, there shall be a direction to the third respondent to forward the entire records to the fourth respondent, within a period of two weeks from the date of receipt of a copy of this order. The fourth respondent shall fix a date for enquiry and issue notice to the petitioner and the petitioner shall attend the enquiry along with all relevant documents. Thereafter, the fourth respondent shall pass final orders, within a period of four weeks from the date of receipt of the records from the third respondent.

7.The petitioner is directed to make a fresh representation to the third and fourth respondents along with a copy of this order.

8.This writ petition is disposed of with the above directions. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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,
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+1CC to M/s.J.Anandhavalli, Advocate (SR24143)

+1CC to Special Government Pleader (SR24718)

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RS (09.08.2021) 3P-8C