



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :19.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.14695 of 2021

R.Jeyaraman

... Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Vembakottai Taluk,
Virudhunagar District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to issue patta to the lands measuring an extent of 1.57 acres comprised in Survey No.28/2 situated at Sankarapandiapuram Village, Vembakottai Taluk, Virudhunagar District, by considering the petitioner's representation, dated 13.07.2021.

For Petitioner : Mr.T.Lenin Kumar

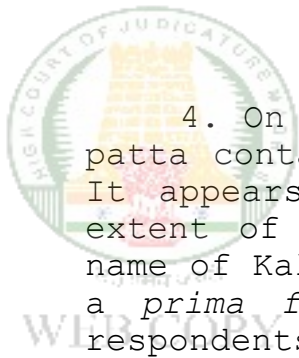
For Respondents : Mr.R.Baskaran
Counsel for State.

ORDER

The petitioner seeks the issuance of a patta in respect of the property bearing Survey No.28/2 at Sankarapandiapuram Village, Vembakottai Taluk, Virudhunagar District.

2. The petitioner traces title to the aforesaid property through a registered sale deed bearing Document No.4972/2020, whereby the petitioner purchased the property from one Kalavathi and one Rajkumar. The joint patta in the names of the petitioner's vendors is enclosed in support of the Writ Petition. The petitioner submitted a representation dated 13.07.2021 to the District Collector and in view of the failure of such respondent to initiate action on the basis of such representation, the present Writ Petition is filed.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the representation of the petitioner may be directed to be considered in view of the fact that the sale deed contains the name of Kalavathi, whose name is also reflected in the joint patta.



4. On perusal of the joint patta, it is evident that such joint patta contains the name of Samuel, Thangaiah, Kalavathi and others. It appears that the said joint patta is in respect of a larger extent of property. Significantly, such joint patta contains the name of Kalavathi, who is one of the petitioner's vendors. As such, a *prima facie* case is made out to justify a direction to the respondents.

5. Accordingly, without going into the merits of the petitioner's representation, the respondents herein are directed to consider such representation and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and to the relevant joint pattadhars in respect of Survey No.28/2. Such reasoned order shall be passed within a period of three (3) months from the date of receipt of a copy of this order.

6. W.P.(MD).No.14695 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-III)

// 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,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Vembakottai Taluk,
Virudhunagar District.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-26809[F] dated 19/08/2021)

+1 CC to M/s.GP (SR-26898[F] dated 23/08/2021)

W.P (MD) No.14695 of 2021
19.08.2021