



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P (MD)No.15152 of 2021

WEB COPY

Povalingam

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Sivagangai District.

2.The District Revenue Officer,
Office of the District Revenue Officer,
Sivagangai District.

3.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai 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 third respondent to implement the second respondent's order in Muu.Mu.B1/5833/2021 dated 11.06.2021 within a time frame that may be stipulated by this Court and directing the third respondent to grant patta to the petitioner's name regarding the property in Survey Nos.139/4, 6, 13, 17, 20, 146/4, 152/10, 153/12 and 173/11 on the file of the Kattamankottai Village, Thiruppuvanam, Taluk, Sivagangai District.

For Petitioner : Mr.R.Udhayakumar

For R-1 to R-3 : Mr.R.Baskaran

Counsel for State

ORDER

The petitioner seeks a patta by relying upon the order dated 11.06.2021 of the District Revenue Officer, Sivagangai. The petitioner claims title to properties at Kattamankottai Village, Thiruppuvanam, Taluk, Sivagangai District. Title to such property is traced through a registered Will. The petitioner states that the testatrix filed a civil suit in O.S.No.71 of 2001. Such suit was dismissed. A.S.No.1 of 2003 was filed by the testatrix and such appeal suit was allowed. The second appeal filed by the defendant was dismissed. Pursuant thereto, it is stated that the order dated 11.06.2021 was issued by the second



respondent herein. In the above facts and circumstances, the petitioner seeks issuance of a patta by the third respondent.

2. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner's request for patta may be directed to be considered and disposed of on merits.

3. The petitioner has enclosed a copy of the judgment in A.S.No.1 of 2003 dated 29.07.2004. He has also enclosed the judgment in S.A.No.335 of 2004. The order dated 11.06.2021 is also enclosed and the said order directs the Tahsildar, Tirupuvanam to consider the petitioner's application and grant patta. As such, the petitioner has made out a case for issuing a direction to the third respondent to consider the application for a grant of patta and dispose of the same within a reasonable time frame.

4. Accordingly, the third respondent herein is directed to consider the petitioner's application for the grant of patta and dispose of the same by a reasoned order within a period of three (3) months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner and any other person who contests such claim for patta.

5. W.P.(MD).No.15152 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS I)

// 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,
Office of the District Collector,
Sivagangai District.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The District Revenue Officer,
Office of the District Revenue Officer,
Sivagangai District.

3.The Tahsildar,
Thiruppuvanam Taluk,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-27532[F] dated 27/08/2021)

W.P (MD) No.15152 of 2021
26.08.2021

DJ(CO)
SB(03.09.2021) 3P 5C