



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.15606 of 2021

V.Bose @ Karuppu

... Petitioner

Vs.

1.The District Collector,
Collector's Office,
Madurai District.

2.The Revenue Divisional Officer,
Melur Revenue Divisional Office,
Vellaripatti,
Madurai District.

3.The Thasildar,
Madurai East Taluk,
Narasingam, Y.Othakkadai,
Madurai 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 1 to 3 to issue a separate patta for the above mentioned land comprised in Survey No.206/1A1AU now under Survey No.85/1A1A1U in Narasingam 4th bit Village, Madurai East, Madurai District considering the petitioner's online application dated 04.01.2021 and the subsequent representation dated 13.07.2021.

For Petitioner : Mr.V.Nagendran

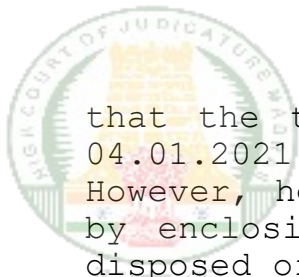
For Respondents : Mr.K.S.Selvaganesan
Counsel for the State

ORDER

The petitioner seeks the issuance of a separate patta for the land bearing Survey No.206/1A1AU, now Survey No.85/1A1A1U at Narasingam 4th bit Village, Madurai East, Madurai District.

2.The petitioner states that he purchased 2 cents of land in the above mentioned survey number through a registered sale deed dated 17.02.1993, bearing Document No.289/1993. Ever since, it is stated that he is in possession and enjoyment of the above mentioned property. A joint patta was issued under Patta No.525. In spite of submitting a representation dated 04.01.2021, it is stated that there has been no response from the respondents.

3.Mr.K.S.Selvaganesan, learned counsel for the State, accepts notice on behalf of all the respondents. On instructions, he submits



that the third respondent rejected the petitioner's request dated 04.01.2021 on account of non-submission of relevant documents. However, he adds that if the petitioner submits a fresh application by enclosing relevant documents the same would be considered and disposed of after putting the joint pattadhars on notice.

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4.The documents on record include the patta bearing patta No.525. Such patta is in respect of Survey No.85/1A1AU. The total extent indicated therein is 5.5 ares, which approximately corresponds to about 13.5 cents. The said patta also contains the names of four other persons, excluding the petitioner. Therefore, such persons would have to be put on notice before the matter is decided.

5.In the above facts and circumstances, the petitioner is permitted to submit a fresh representation for the issuance of a patta to the third respondent. All relevant documents should be enclosed with such application. The petitioner is permitted to file such fresh application within a period of two weeks from the date of receipt of a copy of this order. Upon receipt thereof, the third respondent is directed to consider such application and dispose of the same by a reasoned order. Such reasoned order shall be passed within a period of three months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner and the joint pattathars mentioned in patta No.525.

6.W.P.(MD).No.15606 of 2021 is disposed of on these terms without any order as to costs.

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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Madurai District.



2.The Revenue Divisional Officer,
Melur Revenue Divisional Office,
Vellaripatti,
Madurai District.

3.The Thasildar,
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Narasingam, Y.Othakkadai,
Madurai District.

+1 CC to M/s.V.NAGENDRAN, Advocate (SR-27940[F] dated 02/09/2021)

+1 CC to M/s.The Special Government Pleader (SR-28066[F] dated
03/09/2021)

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RS (13.09.2021) 3P 6C