



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.16006 of 2021

Seyadu Ibrahim

... Petitioner

Vs.

1.The District Collector,
O/o.The District Collector,
Tirunelveli.

2.The Sub-Collector,
O/o.The Sub-Collector,
Tirunelveli.

3.The Tahsildar,
O/o.The Tahsildar,
Palayamkottai,
Tirunelveli.

4.The Town Surveyor,
O/o.The Town Surveyor,
Palayamkottai,
Tirunelveli.

... 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 delete the unwanted name in Town Survey Land Register and issue patta in favour of the petitioner by considering the petitioner's representation dated 31.07.2021 within the time stipulated by this Court.

For Petitioner : Mr.S.M.A.Jinnah

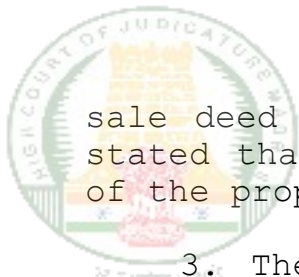
For Respondents : Mr.P.Subbaraj

Counsel for the State

ORDER

The petitioner seeks the deletion of the names of three persons from the Town Survey Land Register and the issuance of a patta to the petitioner.

2. The petitioner states that he is the owner of the property bearing old Survey No.703/15, New Survey No.63 in Ward No.BF in Plot No.0019, Rahumath Nagar, Palayamkottai, Tirunelveli. According to the petitioner, the name of Asaliammal Bevi, Senthil Kumar and Santhi were wrongly added in the Town Survey Land Register relating to the above mentioned property. The petitioner states that he purchased the said property from one Vengaiyan under a registered



sale deed bearing document No.3713/2008. Upon such purchase, it is stated that the petitioner is in peaceful possession and enjoyment of the property for about 13 years.

3. The present writ petition is filed because the petitioner had made an application to the first respondent on 16.02.2021. Upon receipt thereof, the first respondent transferred the said application to the second respondent who, in turn, directed the third respondent on 23.04.2021 to take necessary action. The petitioner asserts that such action was not taken.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the second respondent may be directed to take necessary action on the petitioner's application.

5. The admitted position is that the names of three persons, namely, Asaliammal Bevi, Senthil Kumar and Santhi are reflected in the Town Survey Land Register pertaining to the property in question. Therefore, it is just and necessary that such persons should be provided a reasonable opportunity before any action is taken on the petitioner's application.

6. Accordingly, without going into the merits of the matter, the second respondent is directed to consider the petitioner's representation dated 31.07.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and all the persons whose names are reflected in the Town Survey Land Register in respect of the relevant property. Such reasoned order shall be issued within a period of three months from the date of receipt of a copy of this order.

7. W.P.(MD).No.16006 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (W)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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,
O/o.The District Collector,
Tirunelveli.

2.The Sub-Collector,
O/o.The Sub-Collector,
Tirunelveli.

3.The Thasildar,
O/o.The Thasildar,
Palayamkottai,
Tirunelveli.

4.The Town Surveyor,
O/o.The Town Surveyor,
Palayamkottai,
Tirunelveli.

+1 CC to M/s.SPL GP (SR-28693[F] dated 09/09/2021)

W.P(MD) .No.16006 of 2021

08.09.2021

GC(22.09.2021) 3P 6C