



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.10.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.18256 of 2021

V.Rajendran

... Petitioner

Vs.

1. The District Revenue Officer,
Sivagangai.

2. The Tahsildar,
Karaikudi,
Sivagangai District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent to consider the petitioner's application for patta dated 10.11.2020 for the lands in Survey No.114/1 measuring 0.35.00 hectares, in Koothalaur Village, Karaikudi Taluk, Sivagangai District and pass order thereon with in the time stipulated by this Court.

For Petitioner : Mr.V.R.Shanmuganathan
For Respondents : Mr.P.Subbaraj
Counsel for the State

O R D E R

The petitioner seeks a direction for the consideration of his application for patta in respect of the lands bearing Survey No. 114/1 measuring 0.35.00 hectares, in Koothalaur Village, Karaikudi Taluk, Sivagangai District.

2. The petitioner states that the above mentioned property was purchased by him under a sale deed dated 05.06.2020. It is stated that such sale deed was executed by the petitioner's predecessor-in-interest Subramaniam. The petitioner relies upon the patta issued to the said Subramaniam under Patta No.409. It is also pointed out that errors had crept into the UDR records and, therefore, the predecessor-in-title of the petitioner had initiated proceedings before the District Revenue Officer. Pursuant thereto, by proceedings dated 04.03.2012, the errors were rectified.

3. The petitioner states that he submitted an application on 10.11.2020 seeking mutation of patta and has approached this Court because the said application has not been disposed of till date.

4. Mr.P.Subbaraj, learned counsel for the State, accepts notice



on behalf of both the respondents. He submits that the petitioner's application may be directed to be considered and disposed of after providing a reasonable opportunity to the petitioner and to any other claimant in respect of the said property.

5. The petitioner has enclosed Patta No.409, which stands in the name of Subramanian. The said patta pertains to the property bearing Survey No.114/1 of an extent of 0.35.00 hectares. The sale deed in favour of the petitioner is also enclosed. Such sale deed has been executed by the legal heirs of the pattadar Subramanian, namely, S.Kalimuthu, R.Selvanayagi and S.Saroja. The proceedings of the District Revenue Officer, Sivaganagai, dated 04.03.2012 are also enclosed. In the affidavit in support of the writ petition, the petitioner has referred to the writ petition filed by one Karuppiyah and the dismissal thereof. He also referred to a suit filed by the said Karuppiyah in O.S.No.69 of 2013 before the District Munsif, Karaikudi. The said suit is said to be pending. However, it is stated that there are no interim orders in the said suit.

6. In the above facts and circumstances, the second respondent is directed to consider the petitioner's application dated 10.11.2020 after providing a reasonable opportunity to the petitioner and Mr.Karuppiyah. The said application shall be disposed of by a reasoned order within a period of three months from the date of receipt of a copy of this order.

7. W.P(MD).No.18256 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. The District Revenue Officer, Sivagangai.

2. The Tahsildar, Karaikudi,
Sivagangai District.

+1 CC to M/s.SPL.GP (SR-31941[F] dated 11/10/2021)

W.P. (MD)No.18256 of 2021

08.10.2021

RD(21.10.2021) 2P 4C