



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD).No.18879 of 2021

S.Abubakkar

... Petitioner

Vs.

The Thasildar,
Madurai South Taluk,
Madurai.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondent to issue patta in favour of Puliyankulam Kanmiyan Sahib Darga Wakf for the S.Nos.6/1 to the extent of 1 acre 14 cents, 62/2B, to the extent of 1 acre 36 cents and 8/11 to the extent of 40 cents, by considering the petitioner's representation dated 05.01.2021.

For Petitioner : Mr.G.Karnan

For Respondent : Mr.P.Subbaraj
Counsel for State

ORDER

The petitioner seeks the consideration of his representation dated 05.01.2021 for the issuance of a patta in the name of Puliyankulam Kanmiyan Sahib Darga Wakf in respect of a property bearing S.Nos.6/1 of an extent of 14 cents, 62/B of an extent of 36 cents and 8/11 of an extent of 40 cents.

2.The petitioner states that he is a member of the above mentioned wakf. It is stated that the above mentioned properties belonged to the wakf, but the revenue records reflect the name of the Grama Pallivasal Tharkala Aranilayam. Therefore, the petitioner submitted the representation dated 05.01.2021 and has approached this Court for the consideration thereof.

3.Mr.P.Subbaraj, learned counsel for the State, accepts notice for the sole respondent. He submits that the Tahsildar may be directed to consider and dispose of the petitioner's representation on merits and in accordance with law.

4.The petitioner has produced a copy of the patta bearing Patta No.2 in respect of the property bearing S.Nos.51/1A and 62/2B. He has also produced the extract of the village "A"



register in respect of such property. The said register records the name of the Grama Pallivasal in respect thereof. He has also produced the proceedings of the Wakf Board dated 30.09.2015. On the basis of these documents, the petitioner has made out a case for the consideration of his representation.

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4. Accordingly, without entering any findings on the merits of the matter, the respondent is directed to consider the petitioner's representation dated 05.01.2021 and dispose of the same by a reasoned communication 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 would be affected thereby.

5.W.P.(MD).No.18879 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Crl)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sn/sji

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

The Thasildar,
Madurai South Taluk,
Madurai.

+1 CC to M/s.SPL.GP (SR-32580[F] dated 26/10/2021)

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