



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.21105 of 2021

V.Periyasamy

... Petitioner

Vs.

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

2.The Tahsildar,
Taluk Office,
Ilayangudi,
Sivagangai District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Mandamus directing the second respondent to issue patta to the property of the Petitioner in Old Survey No.160, New Survey No.323/12, to an extent of 0.05.42 Ares of lands in Katchthanallur Revenue Group, Ilayankudi Taluk, Sivagangai District by way of considering the Petitioner's representation, dated 12.11.2021.

For Petitioner : Mr.D.Senthil

For Respondents : Mr.D.Ghandiraj

Special Government Pleader

O R D E R

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The petitioner claims by way of this writ petition a Mandamus to be issued to the second respondent to grant patta to the petitioner with respect to the property in old Survey No.160, New Survey No.323/12 measuring 0.05.42 Ares in Katchthanallur Revenue Group, Ilayankudi Taluk, Sivagangai District. The petitioner had given a representation on 12.11.2021.

3.The petitioner claims that he and his father have constructed a house in the said property and as a matter of fact, the land has been in their possession for many years. It has been stated that in the revenue records, their property has been classified as 'Sarkar Manai'.

<https://hcservices.hq.mca.gov.in/hcservices> so pointed out by Mr.D.Ghandiraj, learned Special



Government Pleader, who had taken notice on behalf of the respondents 1 and 2 that the adjoining survey numbers namely, Survey No.323/11 is classified as belonging to an Elementary School.

5. In view of all these facts, if the petitioner makes an application in accordance with the procedure through on-line and also pays necessary fees, let the second respondent / Tahsildar conduct a proper enquiry by inviting the petitioner, examining the documents available with the petitioner, also issue notice to the School authorities and also examine the revenue records and thereafter, come to subjective satisfaction to grant of patta or not and then pass a detailed order with respect to the same. If the second respondent takes a decision to grant patta, he must do so within a period of twelve (12) weeks from the date of receipt of on-line application to be filed by the petitioner. If the second respondent decides otherwise he may pass an order with reasons and such order must also be communicated to the petitioner herein.

6. With the above said observations, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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 Collectorate,
Sivagangai District.

2. The Tahsildar,
Taluk Office,
Ilayangudi, Sivagangai District.

+1 CC to M/s.SPL GP (SR-36264[F] dated 29/11/2021)

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26.11.2021