



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.12.2021

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.21158 of 2021

WEB COPY

1.B.Karthick

2.Rajakili

... Petitioners

Vs.

1.The District Collector,
Pudukottai District.

2.The Tahsildar,
Kulathoor Taluk,
Pudukottai District.

3.The Head Surveyor,
Kulathoor Taluk,
Pudukottai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents to issue patta in the name of the petitioners in Sy.Nos.665/29 and 665/28 to the extent of 0.01.0 Ares respectively in Kulathoor Village and Taluk, Puthukottai District based on the petitioner's representation dated 13.12.2019 and 09.04.2021.

For Petitioners : Mr.K.P.Narayanakumar

For Respondents : Mr.J.John Rajadurai,
Government Advocate.

ORDER

The Writ Petition has been filed in the nature of Mandamus seeking a direction against the respondents, particularly the second respondent / the Tahsildar, Kulathoor Taluk in Pudukottai District to consider the representations given by the petitioners herein for grant of patta.

2. The petitioners had an earlier occasion to approach a Court of law namely by filing O.S.No.117 of 2016 before the Principal District Munsif at Keranoor. In the said suit, the first and second respondents herein had been shown as the second and third defendants. There was also another individual who was shown as the first defendant but who chose to remain ex-parte.

<https://hcservices.ecourts.gov.in/hcservices/> 3. The suit went for trial in the presence of the



Government Advocate on behalf of the second and third defendants therein. Finally, on consideration of documents presented, the suit was decreed. It must be mentioned that the suit was filed for declaration of title and to restrain the defendants therein from interfering with the possession of the petitioners.

WEB COPY

4. It is therefore insisted by the learned counsel for the petitioners that the petitioners' title and possession had been upheld by a competent Civil Court. Thereafter, the petitioners also had the benefit of the property being subdivided into Survey Nos.665/28 and 665/29. But the petitioners are of the opinion that the records would be completed only when patta is also issued.

5. In this connection, the petitioners had given representations as aforesaid. It is also seen that the first respondent / The District Collector of Pudukottai District had issued a proceedings on 13.07.2021, calling upon the second respondent / the Tahsildar to examine the representations given by the petitioners herein.

6. In view of the above facts, it is only appropriate that the petitioners' representations are considered by the second respondent. However, an obligation is placed on the petitioners to make necessary application through online for grant of patta and in this connection, the petitioners also have to pay necessary charges. On receipt of such online application together with the charges, a direction is issued to the second respondent, to, with the assistance of the third respondent, examine the said application, issue notice to the petitioners herein, examine the records of the petitioners, examine the documents of the petitioner and thereafter, proceed further to issue patta, if other documents are in order. The entire exercise should be completed within a period of twelve (12) weeks either from the date of receipt of the online application or from the date of receipt of a copy of this order.

7. With the said observations, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (P&A)

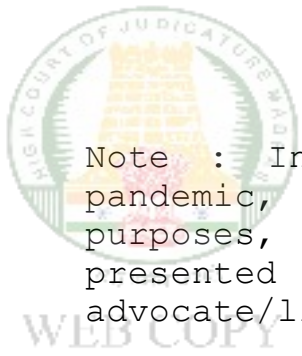
// True Copy //

/ /2021

Sub Assistant Registrar (CS)

Im/Nsr

<https://hcservices.ecourts.gov.in/hcservices/>



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,
Pudukottai District.

2.The Tahsildar,
Kulathoor Taluk,
Pudukottai District.

3.The Head Surveyor,
Kulathoor Taluk,
Pudukottai District.

+1 CC to M/s.K.P.NARAYANA KUMAR, Advocate (SR-37438[F] dated 06/12/2021)

+1 CC to M/s.SPL GP (SR-37755[F] dated 08/12/2021)

**W.P(MD)No.21158 of 2021
06.12.2021**

TSK(CO)
SB(30.12.2021) 3P 6C