



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2022

CORAM

THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN

W.P.No.2950 of 2020

Valarmathi

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Petitioner

Vs

1. The District Collector,
Salem District,
Salem.

2. The Revenue Divisional Officer,
Attur,
Salem District.

3. The Tahsildar,
Attur,
Salem District.

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Respondents

Prayer :- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the third respondent herein to consider the petitioner's representation dated 10.12.2019 to issue patta in favour of the petitioner for the property bearing Natham survey No.261/1 with an extent of 1635 sq.ft. at Gandhipuram, Ammampalayam Village, Attur Taluk, Salem District.

For Petitioner : Mr.A.Syed Musthaba

For Respondents: Mr.P.Balathandayutham

Special Government Pleader

ORDER

This writ petition has been filed for issuance of Writ of Mandamus, directing the third respondent to consider the petitioner's representation dated 10.12.2019 to issue patta in favour of the petitioner in respect of the property comprised in Natham survey No.261/1 to an extent of 1635 sq.ft. situated at Gandhipuram, Ammampalayam Village, Attur Taluk, Salem District.

2. Heard, Mr.A.Syed Musthaba , learned counsel appearing for the petitioner and Mr.P.Balathandayutham, learned Special Government Pleader appearing for the respondents.

3. The case of the petitioner is that the petitioner has already filed a suit in O.S.No.263 of 2017 on the file of the Principal District Munsif Court, Attur, for the property



which is under the claim of patta. In this regard, the third respondent conducted an enquiry on 19.02.2020. Since the case is pending in O.S.No.263 of 2017, the final decision will be arrived only based on the outcome of the said suit.

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4. The learned counsel appearing for the petitioner would submit that the said suit has been settled out of Court.

5. In view of the above, the petitioner is directed to make a fresh application for issuance of patta in respect of the property comprised in Natham survey No.261/1 to an extent of 1635 sq.ft. situated at Gandhipuram, Ammampalayam Village, Attur Taluk, Salem District. On receipt of the same, the third respondent is directed to issue notice to the petitioner and the counter parties, if any, give them an opportunity of hearing and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above direction, the writ petition of disposed of. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

Lpp

To

1. The District Collector,
Salem District,
Salem.

2. The Revenue Divisional Officer,
Attur,
Salem District.

3. The Tahsildar,
Attur,
Salem District.

+1 cc to Government Pleader Sr.NO. 6033

W.P.No.2950 of 2020

PMK(CO)
A.SK(24.02.2022)