



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.04.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.10014 of 2022

Boopathi

...Petitioner

Vs.

1.The District Collector,
Collectorate,
Erode District.

2.The Tahsildar,
Kodumudi Taluk,
Erode District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to issue Patta in favour of petitioner in Sy.No.216 of Murunkiyapalayam Village, having an extent of 6.54 acres, after sub division of the mentioned survey number on the basis of petitioner representation dated 28.01.2022.

For Petitioner : M/S.M.N.Rajapanth

For Respondents : Mr.R.Vigneswaran
Government Advocate

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus to direct the respondents to issue Patta in favour of the petitioner in Sy.No.216 of Murunkiyapalayam Village, having an extent of 6.54 acres, after sub-division of the said survey number on the basis of the petitioner's representation dated 28.01.2022.

2. The case of the petitioner is that he had purchased the aforesaid property from one Mohankumar on 15.03.2018, through a registered Sale Deed, vide Document No.468/2018. Subsequent to



the purchase of the aforesaid property, the petitioner is in possession of the property without any hindrance. Thereafter, the petitioner made a representation, dated 10.08.2020 before the second respondent, seeking to transfer Patta in his name, of an extent of 6.54 acres in Survey No.216, with definite boundaries. Further, the second respondent filed a report in favour of the petitioner to the concerned District Revenue Officer on 26.08.2020, informing that respective Patta pass book proceedings can be proceeded in favour of the petitioner. However, no order has been passed on the said report. Therefore, the petitioner made another representation dated 28.01.2022 before the second respondent, seeking sub-division and Patta transfer in his name. As the said representations made by the petitioner has evoked no response from the second respondent. Hence, the petitioner has filed the present Writ Petition.

3. Though very many grounds have been raised, learned counsel for the petitioner submitted that, it is sufficient, if this Court issues direction to the second respondent to consider the petitioner's representation, dated 28.01.2022 and pass orders on the same, within a particular time frame that may be fixed by this Court.

4. The learned Government Advocate appearing for the respondents has no objection for said order being passed.

5. In view of the aforesaid submissions, this Court, without expressing any opinion on the merits of the case, directs the second respondent to consider the petitioner's representations dated 28.01.2022 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the aggrieved person, if any, within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

jd/rap



To

1.The District Collector,
Collectorate,
Erode District.

2.The Tahsildar,
Kodumudi Taluk,
Erode District.

+lcc to M/s.M.Malaviya, Advocate SR. No. 28141
+lcc to Government Pleader SR. No. 28874

W.P.No.10014 of 2022

SS (CO)
PR (31/05/2022)