

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2022

CORAM

THE HONOURABLE Mrs. JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.254 of 2021

Murugesan, S/o.Thunan

.. Petitioner

Versus

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The District Revenue Officer,
Sivagangai District,
Sivagangai.

3.The Tahsildar,
Sivagangai,
Sivagangai District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the third respondent to issue Patta to the petitioner for the land situated at Vempatthur Village, Vempatthur Group, Periyakottai Sub-Taluk, Sivagangai Taluk, Sivagangai District, comprised in Survey No.181/1, on the basis of the petitioner's representation, dated 03.03.2020, within a time frame to be fixed by this Court.

For Petitioner : No Appearance

For Respondents : Mr.D.Sadiq Raja
Additional Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking a direction to the third respondent to issue Patta to him for the land situated at Vempatthur Village, Vempatthur Group, Periyakottai Sub-Taluk, Sivagangai Taluk, Sivagangai District, comprised in Survey No.181/1, on the basis of his representation, dated 03.03.2020, within a time frame to be fixed by this Court.

2.The case of the petitioner is that he is in possession and enjoyment of the aforesaid land, measuring an extent of 25 cents, for 30 years. Before 30 years, the land was full of Oak and Nuna trees. The petitioner cleaned the land and started to do agriculture work and he is in possession and enjoyment of the said land till date. The said land was classified as Nanjai Poromboke in the revenue records. Hence, the petitioner applied for Patta before the third respondent on various dates. However, the third respondent has not considered the application of the petitioner. Hence, the petitioner gave representation to the second respondent in the year 2018, which was forwarded to the third respondent on 10.04.2018. Thereafter, the third respondent vide his proceedings, dated 07.05.2018, directed the Zonal Deputy Tashildar, Sivagangai District and Taluk Surveyor, Periyakottai, to conduct a detailed enquiry and to file a report. Thereafter, there was no progress. Hence, the petitioner left with no other alternate remedy, has filed this Writ Petition, seeking the relief stated supra.

3.Today, when the matter is taken up for hearing, the learned Additional Government Pleader produced a copy of the revenue records, which shows that Patta No.1414 in respect of Survey No.181/1, measuring an extent of 32 Ares, stands in the name of the petitioner and therefore, the relief sought for in the present Writ Petition has become infructuous.

4.Recording the abovesaid submission made by the learned Additional Government Pleader appearing for the respondents, this Writ Petition is dismissed. No costs.

09.09.2022

Index : Yes/No
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To

- 1.The District Collector,
Sivagangai District,
Sivagangai.
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Sivagangai District,
Sivagangai.
- 3.The Tahsildar,
Sivagangai,
Sivagangai District.

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V.BHAVANI SUBBAROYAN, J.

smn2

Order made in
W.P.(MD)No.254 of 2021

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