



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.960 of 2022

P.Kumaresan

... Petitioner

vs.

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar,
Taluk Office, Paramakudi,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to issue patta in respect of lands in T.S.No.53/2, Block-23, Ward-G, Bharathi Nagar West, Marudhupandiyar Nagar, Paramakudi, Ramanathapuram District to an extent of 1897 ½ sq.ft based on the petitioner's representation, dated 30.12.2021.

For Petitioner : Mr.R.Velumurugan

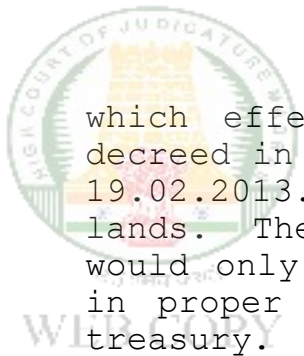
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

O R D E R

Heard Mr.R.Velmurugan, learned counsel for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader, who takes notice on behalf of both the respondents.

2.The petitioner had purchased properties measuring 1897 ½ sq.ft. at T.S.No.53/2, Block No.23, Ward-G, Bharathi Nagar West, Marudhu Pandiyar Nagar, Paramakudi, by a sale deed, dated 29.04.1982. Thereafter, since there was a dispute with respect to possession, the petitioner had instituted a suit in O.S.No.59 of 2008 on the file of the District Munsif Court, Paramakudi. The individual who was in possession/defendants had also filed a cross suit in O.S.No.54 of 2008 again before the District Munsif Court, Paramakudi.

3.The learned counsel for the petitioner contends that the suit of the petitioner, namely, O.S.No.59 of 2008 was partly decreed by judgment dated 30.08.2010, but the suit in O.S.No.54 of 2008 was dismissed. First Appeals naturally followed, which were before the Sub Court, Paramakudi in A.S.No.17 of 2011 and A.S.No.13 of 2011. It is contended that the appeal filed by the petitioner was allowed



which effectively meant that the suit in O.S.No.59 of 2008 was decreed in entirety. The Appellate Court had delivered judgments on 19.02.2013. Now the petitioner seeks patta for the aforementioned lands. The petitioner had given a representation on 30.12.2021. It would only be appropriate that the petitioner files an application in proper form online and also pays necessary charges in the treasury.

4.The learned Additional Government Pleader for the respondents states that if such procedure is adopted by the petitioner, then, the respondents, particularly, the second respondent/Tahsildar, Paramakudi would examine the same and pass necessary orders.

5.An obligation is placed on the second respondent to, on receipt of such application, issue notice to the petitioner and examine the documents furnished by the petitioner, issue notice to anybody else might be either directly or otherwise interested, thereafter, take a decision. At any rate, a decision should be taken within a period of twelve weeks from the date of receipt of a copy of this order.

6.With the above observations, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

sji

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,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar,
Taluk Office, Paramakudi,
Ramanathapuram District.

+1 CC to M/s.R.VEL MURUGAN, Advocate (SR-2301[F] dated 25/01/2022)

+1 CC to M/s.SPL.GP (SR-2368[F] dated 25/01/2022)

W.P.(MD) No.960 of 2022
24.01.2022