



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.03.2022

CORAM

THE HONOURABLE MR. JUSTICE ABDUL QUDDHOSE

W.P. (MD) .No.2070 of 2022

Govindaraj

... Petitioner

Vs.

- 1.The District Collector,
Karur District,
Karur.
- 2.The District Revenue Officer,
Karur District,
Karur.
- 3.The Revenue Divisional Officer,
Kulithalai,
Karur District.
- 4.The Special Tahsildar,
Adithiravidar and Schedule Tribes Welfare Department,
Collectorate Campus,
Karur,
Karur District.
- 5.The Tahsildar,
Kulithalai Taluk,
Kulithalai,
Karur District.
- 6.The Panchayat President,
Porundalur Panchayat,
Kulithalai Taluk,
Karur District.

7.P.Pitchandavar

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents 1 to 5, particularly the respondents 4 and 5 to issue separate patta in the name of the petitioner's father Rengan,



S/o.Perumal for a house site, an extent of 3 cents in Survey No.356, situated at Porundalur Village, Kulithalai Taluk, Karur District.

For Petitioner : Mr.R.Murugappan
For R-1 to R-5 : Mr.B.Saravanan,
Additional Government Pleader.
For R-6 : Mr.A.Kannan,
Additional Government Pleader.
For R-7 : Mr.K.Arunraj

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 to 5 to issue separate patta in the name of the petitioner's father, Rengan, son of Perumal for the house site measuring an extent of 3 cents in Survey No.356, situated at Porundalur Village, Kulithalai Taluk, Karur District.

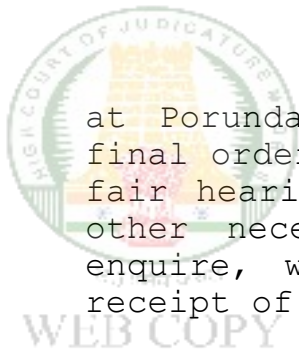
2. Heard Mr.R.Murugappan, learned counsel for the petitioner, Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice for respondents 1 to 5, Mr.A.Kannan, learned Additional Government Pleader, who accepts notice for the sixth respondent and Mr.K.Arunraj, learned counsel, who accepts notice for the seventh respondent.

3. Learned counsel for the petitioner, at the outset, would submit that even though a positive direction has been sought for in this Writ Petition, the petitioner is satisfied, if the petitioner's representation seeking for issuance of patta in favour of his father is considered on merits and in accordance with law.

4. The petitioner based on an assignment order dated 29.03.1983 issued in the name of the petitioner's father, Rengan, seeks for issuance of patta for the said property in the name of his father. He has submitted a representation on 25.08.2020 with the respondents seeking for issuance of patta in the name of his father, Rengan. The seventh respondent is also a rival claimant and he is also seeking for issuance of patta in his name based on the assignment order.

5. No prejudice would be caused to the respondents, if the petitioner's representation seeking for issuance of patta in the name of his father, Rengan, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and the seventh respondent and any other necessary party, whom the fifth respondent deems fit to enquire.

6. Accordingly, this Court directs the fifth respondent to consider the petitioner's representation dated 25.08.2020 seeking for issuance of patta in the name of his father, Rengan for the house site measuring an extent of 3 cents in Survey No.356, situated



at Porundalur Village, Kulithalai Taluk, Karur District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and the seventh respondent and any other necessary party, whom the fifth respondent deems fit to enquire, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (A.D-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

Lm

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,
Karur District,
Karur.
- 2.The District Revenue Officer,
Karur District,
Karur.
- 3.The Revenue Divisional Officer,
Kulithalai,
Karur District.
- 4.The Special Tahsildar,
Adithiravidar and Schedule Tribes Welfare Department,
Collectorate Campus,
Karur,
Karur District.



5.The Tahsildar,
Kulithalai Taluk,
Kulithalai,
Karur District.

6.The Panchayat President,
Porundalur Panchayat,
Kulithalai Taluk,
Karur District.

+1 CC to M/s.K.ARUNRAJ, Advocate (SR-13147[F] dated 21/03/2022)

+1 CC to M/s.SPL GP (SR-13213[F] dated 21/03/2022)

+1 CC to M/s.R.MURUGAPPAN, Advocate (SR-13384[F] dated 22/03/2022)

ORDER MADE IN
W.P. (MD) .No.2070 of 2022
18.03.2022

PKP/28.03.2022/4P/10C