



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.2602 of 2022

K.Jayakumar

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai District.

2.The Tahsildar,
Office of the Tahsildar,
Madurai North Taluk,
Madurai 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 separate patta in the names of Malarvizhi, Kalaiselvi, Anbunathan, Jayakumar and Thilagavathi in respect of survey Nos.17/1B, 7/1, 17/1C, 52/2A, 44/8C, 42/1 in Usilampatti Village and Survey No.20/5B in Manthikulam Village within the time stipulated by this Court.

For Petitioner : Mr.S.Malaikani

For Respondents : Mr.T.Amjad Khan
Government Advocate

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to issue separate patta in the names of Malarvizhi, Kalaiselvi, Anbunathan, Jayakumar and Thilagavathi in respect of survey Nos.17/1B, 7/1, 17/1C, 52/2A, 44/8C, 42/1 in Usilampatti Village and Survey No.20/5B in Manthikulam Village.

2.As seen from the representation dated 08.09.2021, which is filed in the typed set of papers, the petitioner has sought for deletion of names from the patta and has not sought for issuance of separate pattas in the names of the parties referred to supra for which this writ petition has been filed.

3.Mr.T.Amjad Khan, learned Government Advocate who accepts notice on behalf of the respondents points out the aforementioned lacuna. He would also submit that in case the petitioner gives a fresh representation seeking for issuance of separate pattas, the same will be considered by the official respondents on merits and in accordance with law.



4.Learned Counsel for the petitioner is satisfied and is agreeable for the submission made by the learned Government Advocate for the respondents.

5.After recording the submissions made by the respective Counsels, this writ petition is disposed of by granting liberty to the writ petitioner to give fresh representation seeking for issuance of separate pattas in the names of Malarvizhi, Kalaiselvi, Anbunathan, Jayakumar and Thilagavathi in respect of survey Nos.17/1B, 7/1, 17/1C, 52/2A, 44/8C, 42/1 in Usilampatti Village and Survey No.20/5B in Manthikulam Village within a period of two [2] weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent shall pass final orders on the petitioner's representation on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner within a period of twelve [12] weeks thereafter. There shall be no order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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 Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai District.

2.The Tahsildar,
Office of the Tahsildar,
Madurai North Taluk,
Madurai District.

+1 CC to M/s.SPL GP (SR-5322[F] dated 10/02/2022)

W.P. [MD]No.2602 of 2022

09.02.2022

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