



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. (MD)No.4952 of 2022

P.Arunachalam

... Petitioner

vs.

1. The District Collector,
District Collectorate,
Tiruchirapalli.

2. The Revenue Divisional Officer,
Office of the The Revenue Divisional Officer,
Lalgudi,
Tiruchirapalli.

3. The Tahsildar,
Office of the Tahsildar,
Tiruchirapalli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents to consider the representation of the petitioner dated 09.09.2021 to conduct enquiry issue patta to the petitioner after sub-division to the property situated in S.No.104/2A admeasuring a total extent of 6,380 Sq.ft situated at Melaseethavimangalam Village, Mannachanallur Taluk, Tiruchirappalli District.

For Petitioner : Mr.S.Venkatesh
for Mr.P.Parthiban

For Respondents : Mr.M.Lingadurai
Special Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioner's representation, dated 09.09.2021 requesting the first respondent to conduct an enquiry and thereafter, issue patta to the petitioner after sub division of the property situated in S.No.104/2A admeasuring to an extent of 6380 Sq.ft situated at



Melaseethevimangalam Village, Mannachanallur Taluk, Tiruchirappalli District, within a time frame to be fixed by this Court.

2. According to the petitioner, he is the absolute owner of the aforementioned property. He has also filed along with the Writ Petition, the copy of title deed, based upon which he became the owner. He has given a representation on 09.09.2021 requesting the respondents to conduct enquiry and issue patta in his favour after sub division of the aforementioned property. Since the said representation has not been considered till date, he has filed this Writ Petition.

3. Heard Mr.S.Venkatesh, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4. By proceedings of the second respondent, dated 09.03.2015, the petitioner's earlier representation was directed to be considered. According to the petitioner, despite issuing proceedings on 09.03.2015, the third respondent has not considered the petitioner's application seeking for issuance of patta in his name. In such circumstance, the petitioner has filed this Writ Petition.

5. The learned Special Government Pleader, on instructions, would submit that the subject land is classified as natham poramboke land. The said statement is recorded.

6. No prejudice will be caused to the respondents, if the petitioner's representation seeking for conducting an enquiry and for issuing patta in his name after sub division of the property, is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and any other necessary party, whom the third respondent deems fit to enquire.

7. For the foregoing reasons, this Court directs the third respondent to consider the petitioner's representation, dated 09.09.2021 requesting the third respondent to conduct an enquiry and issue patta in his name after sub dividing the property situated at S.No.104/2A measuring to an extent of 6380 Sq.ft situated at Melaseethevimangalam Village, Mannachanallur Taluk, Tiruchirappalli District, and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and any other necessary party, whom the third respondent deems fit to enquire, within a period of twelve weeks from the date of receipt of a copy of this order.



8. With the aforesaid directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CRL.SIDE)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

cmr

To

1. The District Collector,
District Collectorate, Tiruchirapalli.
2. The Revenue Divisional Officer,
Office of the The Revenue Divisional Officer,
Lalgudi, Tiruchirapalli.
3. The Tahsildar,
Office of the Tahsildar,
Tiruchirapalli.

+1 CC to M/s.SPL GP (SR-13514[F] dated 22/03/2022)

+1 CC to M/s.P.PARTHIBAN, Advocate (SR-13549[F] dated 22/03/2022)

Order made in
W.P. (MD) No.4952 of 2022

21.03.2022

CMR

USK/25.03.2022/3P/6C