



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.04.2022

CORAM:

THE HONOURABLE **MR. JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.6336 of 2022

1.S.Suresh

2.S.Anitha

... Petitioners

/Vs./

1.The District Collector,
District Collectorate,
Tiruchirapalli.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Lalgudi,
Tiruchirapalli.

3.The Tahsildhar,
O/o. The Tahsildhar,
Tiruchirapalli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, order or direction in the Nature of Writ directing the respondents to consider the representation of the petitioners dated 09.09.2021 to conduct enquiry issue patta to the petitioners after Sub-division to the property situated in S.No.104/2A admeasuring a total extent of 2352 Sq.Ft., situated at Melasedhevimangalam Village, Mannachanallur Taluk, Tiruchirapalli District.

For Petitioners	: Mr.S.Venkatesh for Mr.P.Parthiban
For Respondents	: Mr.D.Sasikumar Additional Government Pleader

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents to consider the petitioners' representation, dated 09.09.2021 requesting the first respondent to conduct an enquiry and thereafter, issue patta to the petitioners after sub division of the property situated in S.No.104/2A measuring to an extent of 2352 Sq.ft situated at Melasedhevimangalam Village, Mannachanallur Taluk, Tiruchirappalli District, within a time frame to be fixed by this Court.

2.According to the petitioners, they are the absolute owners of the aforementioned property. They have also filed along with the Writ Petition, a copy of title deed, based upon which they became the owners. They have given a representation on 09.09.2021 requesting the respondents to conduct enquiry and issue patta in



their favour after sub division of the aforementioned property. Since the said representation has not been considered till date, they have filed this Writ Petition.

3. Heard Mr.S.Venkatesh, learned Counsel for the petitioners and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4. By proceedings of the second respondent, dated 09.03.2015, the petitioners' earlier representation was directed to be considered. According to the petitioners, despite issuing proceedings on 09.03.2015, the third respondent has not considered the petitioners' application seeking for issuance of patta in their names. In such circumstance, the petitioners have 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 petitioners' representation seeking for conducting an enquiry and for issuing patta in their names after sub division of the property, is considered on merits and in accordance with law, after affording a fair hearing to the petitioners 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 petitioners' representation, dated 09.09.2021 requesting the third respondent to conduct an enquiry and issue patta in their names after sub dividing the property situated at S.No.104/2A measuring to an extent of 2352 Sq.ft situated at Melasedhevimalangalam Village, Mannachanallur Taluk, Tiruchirappalli District, and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioners and any other necessary party, whom the third respondent deems fit to enquire, within a period of twelve (12) 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 (CO)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)



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O/o. The Tahsildhar,
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+1 CC to M/s.SPL.GP (SR-17222[F] dated 07/04/2022)

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SB(CO)
KB(20.04.2022) 3P 5C