



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.7376 of 2022

Hony.Captain K.Kandasamy

.. Petitioner

Vs

1.The District Revenue Officer,
District Revenue Office,
Tenkasi District.

2.The Revenue Divisional Officer,
Revenue Divisional Officer,
Kadayanallur,
Tenkasi District.

3.The Tahsildar,
Tahsildar Office,
Kadayanallur,
Tenkasi District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to grant patta in the petitioner's name for survey No.412/1 of Urmelazhagiyan Village, Kadayanallur Taluk, based on the representation, dated 28.03.2022, sent by the petitioner, within the time frame stipulated by this Court.

For Petitioner : Mr.G.Karthick

For Respondents : Mrs.S.Jeyapriya
Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to grant patta in the name of the petitioner for survey No.412/1 of Urmelazhagiyan Village, Kadayanallur Taluk, based on the petitioner's representation, dated 28.03.2022, within a time frame to be fixed by this Court.

2.The petitioner claims that he is the absolute owner of the aforementioned property and is in possession of the same. He has filed documents along with the writ petition to substantiate his case that he is the owner and is in possession of the same. He has applied for patta on 05.10.2020, with the respondents. Thereafter, the third respondent had also initiated enquiry proceedings on



26.11.2020. Since no progress was shown thereafter, the petitioner has filed this writ petition.

3. Heard Mr.G.Karthick, learned counsel appearing for the petitioner and Mrs.S.Jeyapriya, learned Government Advocate, who accept notice on behalf of the respondents.

4. The petitioner has filed documents along with the writ petition to substantiate his claim that he is the absolute owner of the aforementioned property and is in possession of the same. Admittedly, he has submitted an application seeking for issuance of patta with the respondents as early as on 05.10.2020. The third respondent has also acted upon the said application and initiated enquiry on 26.11.2020.

5. No prejudice will be caused to the respondents, if the petitioner's representation, seeking for issuance of patta for the aforementioned 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 and pass final orders, within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the third respondent to pass final orders on the petitioner's application, dated 05.10.2020, seeking for issuance of patta for the property in the name of petitioner in respect of the property comprised in survey No.412/1 of Urmelazhagiyan Village, Kadayanallur Taluk, after affording a fair hearing to the petitioner and any other necessary party, whom the third respondent deems fit to enquire, including granting them the right of personal hearing, within a period of three months from the date of receipt of a copy of this order.

7. With the aforesaid directions, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

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 Revenue Officer, District Revenue Office,
Tenkasi District.

2.The Revenue Divisional Officer, Revenue Divisional Officer,
Kadayanallur, Tenkasi District.

3.The Tahsildar, Tahsildar Office, Kadayanallur, Tenkasi District.

+1 CC to M/s.N. GANAGASAPAPATHY, Advocate (SR-19955[F] dated
21/04/2022)

+1 CC to M/s.SPL.GP (SR-20077[F] dated 21/04/2022)

W.P. (MD)No.7376 of 2022

20.04.2022

RD(09.05.2022) 3P 6C