



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.04.2022**

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.7581 of 2022

Manikandan

... Petitioner

/Vs./

1.The District Collector,
Office of the District Collector,
Thoothukudi.

2.The Tahsildar,
Office of the Taluk Office,
Thoothukudi.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent herein to give the patta to the petitioner in favour petitioner's property comprised in S.No.245/1 situated at Nallamalai, Maravanmadam, Thoothukudi District on the basis of the petitioner's representation dated 25.02.2022 within the time fixed by this Honble Court and pass such further or other orders as this Court.

For Petitioner : Mr.V.Malaiyendran

For Respondents : Mr.M.Lingadurai
Special Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to issue patta in favour of the petitioner in respect of the petitioner's property situated in S.No.245/1 situated at Nallamalai, Maravanmadam, Thoothukudi District, measuring to an extent of 4 cents, on the basis of the petitioner's representation dated 25.02.2022 within a time frame to be fixed by this Court.

2.Heard Mr.V.Malaiyendran, learned Counsel for the writ petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.



3.The petitioner is seeking for patta for the aforementioned property. He has filed documents along with this writ petition which includes the house tax receipts to establish his possession. It is for the respondents to consider the same on merits and in accordance with law.

4.The learned Special Government Pleader appearing for the respondents would submit that since the subject property is classified as Sarkar Poramboke/Natham land, it may not be possible to grant patta in favour of the petitioner. The said statement is recorded.

5.However, this Court is of the considered view that no prejudice would be caused to the second respondent, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting him the right of personal hearing and any other necessary party, whom the second respondent deems fit to enquire.

6.Accordingly, this Court directs the second respondent to consider the petitioner's representation dated 25.02.2022 seeking for issuance of patta in his name for the property situated in S.No.245/1 situated at Nallamalai, Maravanmadam, Thoothukudi District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner including granting him the right of personal hearing and any other necessary party, whom the second respondent deems fit to enquire, within a period of four (4) months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

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To

1.The District Collector,
Office of the District Collector,

Thoothukudi.

<https://hcservices.courts.gov.in/hcservices/>



2. The Tahsildar,
Office of the Taluk Office,
Thoothukudi.

+1 CC to M/s.V. MALAIYENDRAN, Advocate (SR-20390[F] dated
22/04/2022)

+1 CC to M/s.SPL.GP (SR-21017[F] dated 25/04/2022)

order made in
W.P.[MD]No.7581 of 2022
Dated:21.04.2022

USK/11.05.2022/3P/5C