



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.7618 of 2022

G.Urudhamalai

... Petitioner

vs.

The Tahsildar,
Virudhunagar Taluk,
Virudhunagar District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondent to issue patta in favour of the petitioner for the land situated in S.No.953/1A, admeasuring 2.61 cents at Sankaralingapuram Village, Virudhunagar Taluk and District based on the title deed in Document No.1224 within a time frame without insisting pendency of any litigation.

For Petitioner :Mr.S.Balamurugan

For Respondent :Mr.M.Lingadurai

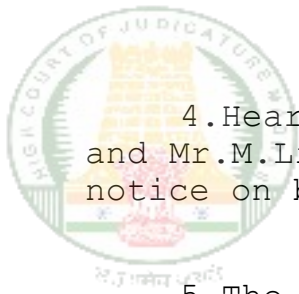
Special Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondent to issue patta in favour of the petitioner for the land situated in S.No.953/1A, admeasuring 2.61 cents at Sankaralingapuram Village, Virudhunagar Taluk and District based on the title deed in Document No.1224 within a time frame to be fixed by this Court.

2.The petitioner, by the aforementioned document, has sought for patta in his favour for the aforementioned property. As seen from the affidavit filed in support of this Writ Petition, a suit has been filed by a rival claimant. According to the petitioner, the rival claimant has been continuously filing suits.

3. It is the case of the petitioner that he is the absolute owner of the subject property having purchased the same under a sale deed, dated 02.07.2003 registered as Doc.No.1224/2003. According to the petitioner, his vendor has possessed patta in his name in Patta No.1441. The petitioner has submitted an application on 13.04.2022 to the respondent requesting for issuance of patta. Since the said representation has not been considered till date, he has filed this Writ Petition.



4.Heard Mr.S.Balamurugan, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondent.

5.The petitioner has filed documents along with this Writ Petition to substantiate his claim for issuance of patta. It is for the respondent to consider the same on merits and in accordance with law. No prejudice will be caused to the respondent, if the petitioner's representation is considered on merits and in accordance with law after affording a fair hearing to the petitioner and any other rival claimant whom the respondent deems fit to enquire.

6.For the foregoing reasons, this Court directs the respondent to consider the petitioner's application, dated 13.04.2022 seeking for issuance of patta in his name for the property situated at S.No.953/1A, admeasuring 2.61 cents in Sankaralingapuram Village, Virudhunagar Taluk and District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and any other rival claimant whom the respondent deems fit to enquire and the parties to the litigation, namely, O.S.No.207 of 2004 on the file of the District Munsif Court, Virudhunagar, within a period of four 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 //

04/05/2022

Sub Assistant Registrar(CS)

cmr

To

The Tahsildar,
Virudhunagar Taluk,
Virudhunagar District.

+1 CC to M/s.S. BALAMURUGAN, Advocate (SR-20526[F] dated 22/04/2022)



+1 CC to M/s.SPL.GP (SR-21039[F] dated 25/04/2022)

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SG (CO)

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