



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.7700 of 2022

1. T.Venkatesh

2. T.Kalyani

... Petitioners

Vs.

1. The District Collector,
District Collectorate,
Tiruchirappalli.

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

3. The Tahsildar,
O/o. The Tahsildar,
Tiruchirappalli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to conduct enquiry as per the order of the second respondent dated 28.09.2021 in OMU-A2/2643/2021 and to issue patta to the petitioner after sub-division to the property situated in S.No.104/2A admeasuring a total extent of 4986 sq.ft situated at Melaseethedavimanagalam Village, Mannachanallur Taluk, Tiruchirappalli District within a time frame stipulated by this Court.

For Petitioner : Mr.S.Venkatesh

for 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 third respondent to conduct enquiry as per the order of the second respondent dated 28.09.2021 and issue patta in favour of the petitioners after sub-division of the property situated in S.No.104/2A admeasuring a total extent of 4986 sq.ft situated at Melaseethedavimanagalam Village, Mannachanallur Taluk, Tiruchirappalli District, within a time frame to be fixed by this Court.



2. According to the petitioners, they are the owners of the aforementioned property. It is a natham poramboke land. They seek for issuance of patta in their name. The petitioners have given a representation on 09.09.2021, for the said purpose. Their representation has already been forwarded by the second respondent on 28.09.2021 to the third respondent. In a property involving a very same survey number, another applicant seeking for issuance of patta in his name had approached this Court to consider his application for patta. By order dated 21.03.2022 in W.P.[MD] No.4952 of 2022, this Court directed the third respondent to consider the same on merits and in accordance with law and pass final orders within a period of twelve [12] weeks from the date of receipt of a copy of the said order.

3. No prejudice would be caused to the respondents if a similar direction is given to these petitioners also.

4. Learned Special Government Pleader appearing for the respondents would submit that in case the property has already been allotted for Government purposes, the petitioners will not be entitled for grant of patta.

5. Accordingly, this Court directs the third respondent to consider the petitioners' representation dated 09.09.2021, seeking for issuance of patta in their name in respect of the property comprised in S.No.104/2A admeasuring a total extent of 4986 sq.ft situated at Melaseethedavimanagalam Village, Mannachanallur Taluk, Tiruchirappalli District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioners including granting them the right of personal hearing within a period of twelve [12] weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2022

Sub Assistant Registrar (CS)

MR



To

1. The District Collector,
District Collectorate,
Tiruchirappalli.

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

3. The Tahsildar,
O/o. The Tahsildar,
Tiruchirappalli.

+1 CC to M/s.SPL.GP. (SR-21163[F] dated 26/04/2022)

ORDER MADE IN
W.P.[MD]No.7700 of 2022
22.04.2022

USK/06.05.2022/3P/5C