



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.7834 of 2022

WEB COPY

S.Krishnan

... Petitioner

Vs.

1.The District Revenue Officer,
O/o. The District Collectorate Campus,
Sivagangai,
Sivagangai District.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Karaikudi,
Sivagangai District.

3.The Tahsildar,
O/o. The Tahsildar,
Karaikudi,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the third respondent to mutate the patta in the name of the petitioner in Survey No.25/1B situated at Sekkalai Kottai Village, Karaikudi Taluk, Sivagangai District based on the petitioner's application dated 18.02.2022 within the period that may be stipulated by this Court.

For Petitioner	: Mr.C.Venkatesh Kumar for M/s.Ajmal Associates
For Respondents	: Mr.B.Saravanan Additional 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 mutate the patta in the name of the petitioner in respect of Survey No.25/1B situated at Sekkalai Kottai Village, Karaikudi Taluk, Sivagangai District, based on the petitioner's application dated 18.02.2022, within a time frame to be fixed by this Court.



2.The petitioner claims that based on the Civil Court decree dated 14.11.2018 passed in O.S.No.9 of 2010, on the file of the Additional District Munsif Court, Karaikudi, he is the absolute owner of the aforementioned property. He claims that he is in possession and enjoyment of the same for the past 40 years. He has also filed the encumbrance certificate along with this writ petition to substantiate his claim that he is the owner. He has submitted a representation on 18.02.2022 with the respondents seeking for issuance of patta in his name. Thereafter, he has also sent another representation on 07.04.2022 for the said purpose. Since the application for issuance of patta has not been considered till date, he has filed this writ petition.

3.Heard Mr.C.Venkatesh Kumar for M/s.Ajmal Associates, learned Counsel appearing for the writ petitioner and Mr.B.Saravanan, learned Additional Government Pleader who accepts notice on behalf of the respondents.

4.No prejudice would be caused to the respondents if the petitioner's application seeking for issuance of patta in his name 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. The petitioner has filed documents along with this writ petition including a Civil Court judgment and decree based on which he claims ownership of the property. It is for the third respondent to consider the same on merits and in accordance with law.

5.For the foregoing reasons, this Court directs the third respondent to consider the petitioner's application dated 18.02.2022 seeking for issuance of patta in his name for the property comprised in Survey No.25/1B situated at Sekkalai Kottai Village, Karaikudi Taluk, Sivagangai District and pass final orders 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 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/-

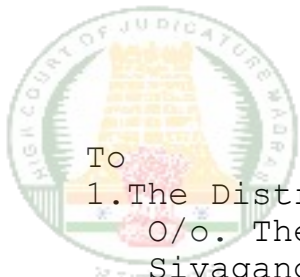
Assistant Registrar ()

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/ /2022

Sub Assistant Registrar(CS)

MR



To

1.The District Revenue Officer,
O/o. The District Collectorate Campus,
Sivagangai,
Sivagangai District.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Karaikudi,
Sivagangai District.

3.The Tahsildar,
O/o. The Tahsildar,
Karaikudi,
Sivagangai District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-21450[F] dated
26/04/2022)

+1 CC to M/s.SPL GP. (SR-21285[F] dated 26/04/2022)

W.P. [MD]No.7834 of 2022

25.04.2022

MGJ(18.05.2022) 3P 6C