



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **28.04.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.8437 of 2022

and

W.M.P.[MD]No.6225 of 2022

WEB COPY

S.Subramany

... Petitioner

/Vs./

1.The Commissioner,
Land Administration,
2nd Floor, Ezhilagam,
Chepauk, Chennai - 600 005.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Kovilpatti,
Thoothukudi District.

3.The District Collector,
Thoothukudi District,
Thoothukudi.

4.The Tahsildar,
Ettayapuram,
Thoothukudi District.

5.The Deputy Tahsildar,
Ettayapuram,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents to issue the patta for the Survey No.117/3, Bymas No.212 situated at Thappathi, Muthalapuram Post, Ettayapuram Taluk, Thoothukudi District based on petitioner's representation dated 23.03.2022 within the time stipulated by this Court.

For Petitioner : Mr.P.Krishnasamy

For Respondents : Mr.T.Amjad Khan

Government Advocate

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to issue the patta in favour of the petitioner for Survey No.117/3, Bymas No.212 situated at Thappathi, Muthalapuram Post, Ettayapuram Taluk, Thoothukudi District, based on



the petitioner's representation dated 23.04.2022, within a time frame to be fixed by this Court.

2.The petitioner claims that he and his ancestors are in possession of the aforementioned property even prior to independence. He would submit that for a similarly placed person, patta has already been issued by the respondents. The petitioner has submitted a representation on 23.04.2022. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.P.Krishnasamy, learned Counsel for the writ petitioner and Mr.T.Amjad Khan, learned Government Advocate, who accepts notice on behalf of the respondents.

4.The petitioner has also filed documents along with this writ petition to substantiate his case. It is for the respondents to consider the same on merits and in accordance with law and decide as to whether the petitioner is entitled for patta or not.

5.No prejudice would be caused to the respondents, if the petitioner's representation seeking for issuance of patta in his name for the aforementioned property is considered on merits and in accordance with law, after affording a fair hearing to the petitioner as well as any other rival claimants, if any.

6.Accordingly, this Court directs the fourth respondent to consider the petitioner's representation dated 23.04.2022 seeking for issuance of patta in his name in respect of the property comprised in Survey No.117/3, Bymas No.212 situated at Thappathi, Muthalapuram Post, Ettayapuram Taluk, Thoothukudi District and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner as well as any other rival claimants, if any, within a period of twelve [12] weeks 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. Consequently, connected Miscellaneous Petition is closed.

Sd/-

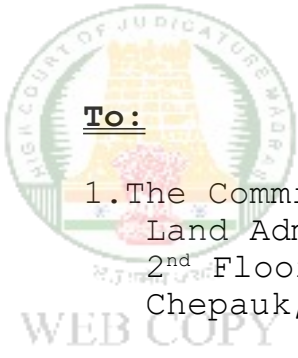
Assistant Registrar (CS-I)

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/ /2022

Sub Assistant Registrar(CS)

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To:

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Thoothukudi District.

+1 CC to M/s.P.KRISHNASAMY, Advocate (SR-22227[F]
dated 28/04/2022)

+1 CC to M/s.SPL.GP (SR-23230[F] dated 02/05/2022)

order made in
W.P. [MD]No.8437 of 2022

Dated:
28.04.2022

SS (CO)
GC (18.05.2022) 3P 8C