



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.8423 of 2022

Mottaiyandi

... Petitioner

Vs.

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Musiri,
Trichy District.

3.The Tahsildar,
O/o. The Tahsildar,
Thottiyam,
Trichy 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 patta to the petitioner on the basis of the petitioner's representation dated 28.03.2022 within a stipulated time as fixed by this Court.

For Petitioner : Mr.A.Joel Paul Antony
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 respondents to issue patta in favour of the petitioner for his property comprised in Survey No.227/3A4 at Kodyampaliyam Village, Alagarimajara, Musiri Taluk (now Thottiyam Taluk), Trichy District, based on the petitioner's representation dated 28.03.2022, within a time frame to be fixed by this Court.

2.The petitioner claims that he is the absolute owner of the aforementioned property based on a judgment and decree dated 31.03.2004 passed in O.S.No.128 of 1990 on the file of District Munsif Court, Musiri. According to the petitioner, the judgment and decree has attained finality. It is also claimed that he is in possession and enjoyment of the property as the absolute owner ever since the passing of the judgment and decree. The petitioner has



applied for patta for the said property and has also given a representation thereafter on 28.03.2022 for the said purpose. Since the said representation has not been considered till date, the petitioner has filed this writ petition.

3.Heard Mr.A.Joel Paul Antony, 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 third 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 necessary party whom the third respondent deems fit to enquire.

5.For the foregoing reasons, this Court directs the third respondent to consider the petitioner's representation dated 28.03.2022 seeking for issuance of patta in his name for the property comprised in Survey No.227/3A4 at Kodyampaliyam Village, Alagarimajara, Musiri Taluk (now Thottiyam Taluk), Trichy 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 and also 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

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

To

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Musiri,
Trichy District.



3.The Tahsildar,
O/o. The Tahsildar,
Thottiyam,
Trichy District.

+1 CC to M/s.A.JOEL PAUL ANTONY, Advocate (SR-22039[F] dated 28/04/2022)

+1 CC to M/s.SPL.GP (SR-23196[F] dated 02/05/2022)

ORDER MADE IN
W.P. [MD]No.8423 of 2022
28.04.2022

RS (25.05.2022) 3P-6C