



W.P.(MD)No.15185 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.09.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.15185 of 2022

C.Rajagopal

.. Petitioner

Versus

The Tahsildar,
Thirpparankundram Taluk,
Thirunagar,
Madurai – 625 006.

.. Respondent

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondent to issue Patta for an extent of 51 cents land in S.No.284/2, Nillaiyur II-Bit, Thirupparankundram Taluk, Madurai District, to the petitioner based on the application sent to the first respondent, dated 07.07.2022.

For Petitioner : Mr.A.R.Palanirajan

For Respondent : Mr.D.Gandhiraj
Special Government Pleader

ORDER

The petitioner has filed this Writ Petition seeking a direction to the respondent to issue Patta, measuring an extent of 51 cents of land in S.No.

284/2, Nillaiyur II-Bit, Thirupparankundram Taluk, Madurai District, to the



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petitioner, based on the application sent by him to the first respondent, dated 07.07.2022.

2.The case of the petitioner is that his mother namely, R.Banumathy Ammal purchased the aforesaid property under a registered sale deed, dated 03.09.1976 from his grandfather namely, B.Ramasamy Raju and the said property was orally allotted to the petitioner and he is doing a cattle shed poultry firm and horticulture in the said land. The petitioner is in possession and enjoyment of the property for many years. He approached the authorities for issuance of Patta. However, there was no progress. Hence, the petitioner left with no other alternate remedy, has filed this Writ Petition, seeking the relief stated supra.

3.Mr.D.Gandhiraj, learned Special Government Pleader appearing for the respondent submits that the land in S.No.284/2, Nilaiyur II-Bit, Thirupparankundram Taluk, Madurai District, measuring an extent of 0.16.50 Ares (41 Cents), stands as Government Nanja land in the revenue records.

4.At this juncture, the learned counsel appearing for the petitioner submits that the total extent of land is 41 cents, including the land measuring an extent of 3 Acres and 35 cents in the southern side of old S.No.271, new



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S.No.284/1B. He further submits that the petitioner's sister namely, Parvavarthini Pojaraja executed a release deed bearing Document No.41/1970 in favour of her brothers. The lands in S.No.285, which were allotted to the petitioner's elder brothers, are situated near the Well and the lands in S.Nos. 284/1B and 284/2, which were allotted to the petitioner, are situated half Kilometer away from the said Well. The learned counsel further submits that the petitioner's family members have given five acres of land in S.No.303/1 for Boomithan Movement and another five Acres of land in S.Nos.151, 160 to 162 and 168 to 170, for forming Ring Road towards Madurai Mattuthavani – Kappalur over bridge. Considering the said facts and circumstances, the respondent may be directed to consider the petitioner's claim and pass appropriate orders.

5.Considering the above said facts and circumstances of the case and the submissions made by the learned counsel on either side, it is seen that in the representation, the petitioner has stated that the said land has been purchased by his mother Banumathy Ammal in the year 1956. Except stating the same in his representation, the petitioner has not produced any document to prove the title. Further, the learned Special Government Pleader appearing for the respondent has categorically stated that the said lands stand as 'Government Nanja lands' in the revenue records.



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6. In view of the above, though this Court is not inclined to allow this Writ Petition, the learned counsel appearing for the petitioner insisted the petitioner's representation may be considered on merits and the petitioner is ready and willing to produce all the relevant documents to prove his title to the said property. Hence, this Court directs the petitioner to produce all the relevant documents to prove the title to the said property to the respondent and on such production of relevant documents, the respondent shall consider the same and pass appropriate orders on merits and in accordance with law after affording an opportunity of personal hearing to the petitioner and other necessary parties, if any.

7. With the above directions, this Writ Petition stands disposed of. No costs.

14.09.2022

Index : Yes/No
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To

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V.BHAVANI SUBBAROYAN, J.

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Order made in
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