



W.P(MD).No.13927 of 2014

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.12.2022

CORAM

THE HON'BLE MR.JUSTICE K.KUMARESH BABU

W.P(MD)No.13927 of 2014

and

M.P(MD) No.1 of 2014

1. T.M.Subramanian (Died)
2. Nagammal

.... Petitioner

(P-2 is substituted vide order of this Court dated 21.07.2022 in W.M.P(MD) No.11539 of 2022 in W.P(MD) 13927 of 2014)

Vs.

1. The District Collector,
Kanyakumari District,
Nagercoil
2. The Tahsildar,
Boothapandi Village,
Thovalai Taluk,
Kanyakumari District.
3. Anantha Ramakrishna Iyer,
Foundar Madam,
South Street,
Thirupathi Saram Village,
Talakkudi via,
Kanyakumari District.



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4. S.Rajamani

... Respondents

(R-4 is impleaded vide order of this Court dated 08.08.2022 in W.M.P(MD) No.13018 of 2022 in W.P(MD) No.13927 of 2014)

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents particularly the second respondent to issue Patta for the petitioner's tenancy as cultivating tenant in respect of Re-survey No.112 of 2010 (Old Survey No.1035/A/) Thirupathisaram Village, Boothapandi via., Thovalai Taluk, Kanyakumari District with a time frame as specified by this Court forthwith to the petitioner in the light of the judgment made in S.A.No.1445/1988 by this Court dated 21.06.2000.

For Petitioner	: Mr.A.George Stephen Kanikkai Raj
For Respondents	: Mr.M.Prakash
	Additional Government Pleader
	(for R-1 and R-2)
	: No appearance (for R-3)
	: Mr. V.Raghavachari

ORDER

The present Writ Petition has been filed seeking for a Mandamus to direct the the second respondent to issue Patta for the petitioner's tenancy as cultivating tenant in respect of Re-survey No.112 of 2010 (Old Survey No. 1035/A/) Thirupathisaram Village, Boothapandi via., Thovalai Taluk, Kanyakumari District.



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2. The case of the petitioner is that in spite of the direction issued by this Court in W.P(MD) No.7816 of 2010, dated 31.09.2010. The second respondent had not passed any orders and hence the petitioner has approached this Court for the aforesaid relief. The second respondent had filed a counter affidavit, wherein, he has specifically stated that the petitioner's representation has been considered and the same was rejected. According to the petitioner, the same has not been furnished to him.

3. Therefore, the second respondent is directed to furnish the copy of the rejection order to the petitioner within a period of four weeks from the date of receipt of a copy of this order. It will enable to the petitioner to challenge the same before the appropriate authority. The petitioner is at liberty to challenge the same, if he is so advised, within a period of four weeks thereafter.



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4. With the above said directions, this Writ Petition is disposed of.

No costs. Consequently, connected Miscellaneous Petition is closed.

23.12.2022

Index : Yes / No
Internet : Yes / No
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To

1. The District Collector,
Kanyakumari District,
Nagercoil
2. The Tahsildar,
Boothapandi Village,
Thovalai Taluk,
Kanyakumari District.



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K.KUMARESH BABU, J.

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Order made in
W.P(MD)No.13927 of 2014

23.12.2022