

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.09.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.21624 of 2022

Shanmugam, S/o.Naha Mottan

... Petitioner

Vs

1.The District Collector,
Trichy District,
Trichy.

2.The Revenue Divisional Officer,
Musiri,
Trichy District.

3.The Tahsildar,
Musiri,
Trichy District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to complete the proceedings in O.Mu.A6/1195/2021, dated 23.07.2021 and consequently, issue Patta to the petitioner's property, situated at Musiri West Village, Trichy District, on the basis of the petitioner's representation, dated 20.07.2022, within a stipulated time as fixed by this Court.

For Petitioner : Mr.A.Joel Paul Antony

For Respondents : Mr.A.Kannan
Additional Government Pleader

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents to complete the proceedings in O.Mu.A6/1195/2021, dated 23.07.2021 and consequently, issue Patta to the petitioner's property, situated at Musiri West Village, Trichy District, on the basis of his representation, dated 20.07.2022, within a time frame.

2.Heard Mr.A.Joel Paul Antony, learned counsel appearing for the petitioner and Mr.A.Kannan, learned Additional Government Pleader, who takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The learned counsel appearing for the petitioner submits that an extent of 6 cents of land was situated in old Survey No.468/3, Musiri West Village, Trichy District, which was purchased by the petitioner's father by registered sale deed dated 30.09.1977 from one Chandiramouleeswaran. After UDR, the said survey number was divided into S.Nos.109/3G and 109/3H. The petitioner inherited the said property from his father. For Survey No.109/3H, measuring an extent of 3.53 cents Patta was issued in the name of the petitioner's father in Patta No.1020. By mistake, Patta was not issued in respect of Survey No.

109/3G, but it was under the possession and enjoyment of his father and now, the petitioner is enjoying the same. To rectify the said mistake, the petitioner sent a representation to the second respondent on 07.10.2020. However, no action was taken on the said representation. Thereafter, the petitioner sent another representation during grievance redressal day to the first respondent and it was forwarded to the third respondent in O.Mu.No.A6/1195/2021, dated 23.07.2021. Even then, no further action has been taken. Hence, the petitioner made a detailed representation to the respondents on 20.07.2022, that too, remains unattended. Hence, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

4.By producing a letter of the third respondent in Na.Ka.No.A4/7559/2022, dated 12.09.2022, addressed to the Government Pleader, the learned Additional Government Pleader appearing for the respondents submitted that the request of the petitioner is under the active consideration of the third respondent.

5.Considering the facts and circumstances of the case and the submissions of the learned counsel on either side, this Court directs the third respondent to consider the representation of the petitioner, dated 20.07.2022,

and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner. It is open to the petitioner to produce all the relevant documents in support of his claim. Such exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

6.This Writ Petition stands disposed of with the above directions. No costs.

13.09.2022

Index : Yes/No
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V.BHAVANI SUBBAROYAN, J.

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