



W.P.(MD)No.23195 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.10.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.23195 of 2022

A.Packiam

.. Petitioner

Versus

1.The District Collector,
Madurai District.

2.The District Revenue Officer,
Madurai District.

3.The Tahsildar,
Vadipatti Taluk,
Vadipatti,
Madurai District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the third respondent to consider the petitioner's representation, dated 29.08.2022, within a stipulated time frame to be fixed by this Court and also to instruct him to change the Patta in Patta No.300, in respect of the property comprised in S.No.72, measuring an extent of 7 cents, situated at Bommanpatti Main Road, Karupatti Village and Post, Vadipatti Taluk, Madurai District, in the name of the petitioner.

For Petitioner : Mr.A.Gandiappan

For Respondents : Mr.A.Kannan
Additional Government Pleader



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ORDER

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The petitioner has prayed for issuance of a Writ of Mandamus, directing the third respondent to consider his representation, dated 29.08.2022 and also to change Patta No.300, in respect of the property comprised in S.No.72, measuring an extent of 7 cents, situated at Bommanpatti Main Road, Karupatti Village and Post, Vadipatti Taluk, Madurai District, in his name.

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

3.Today, when the matter is taken up for hearing, Mr.A.Kannan, learned Additional Government Pleader appearing for the respondents, on instructions, submitted that the petitioner has given a representation to the first respondent on 29.08.2022, seeking to change Patta No.300, in respect of the property comprised in S.No.72, measuring an extent of 7 cents, situated at Bommanpatti Main Road, Karupatti Village and Post, Vadipatti Taluk, Madurai District, in his name. On enquiry, it was found that the petitioner is claiming right through an unregistered Will and the property stands in the name of one



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valid documents to prove the title of Kathija Beevi, who alleged to have executed an unregistered Will in favour the petitioner and therefore, the petitioner's request for change of Patta has been rejected. If the petitioner produces all the relevant documents, his request for change of Patta would be considered and appropriate orders would be passed by the third respondent, on merits and in accordance with law, within a time frame to be fixed by this Court.

4.Considering the submissions made by the learned Additional Government Pleader appearing for the respondents, this Court, without going into the merits of the case, directs the petitioner to produce all the relevant documents before the third respondent. On receipt of such documents, the third respondent shall consider the petitioner's request for change of Patta, based on his representation, dated 29.08.2022, and pass appropriate orders on merits and in accordance with law. The entire exercise shall be completed within a period of 16 weeks from the date of receipt of a copy of this order.

5.This Writ Petition stands disposed of with the above direction. No costs.

Index : Yes/No

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V.BHAVANI SUBBAROYAN, J.

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To

- 1.The District Collector,
Madurai District.
- 2.The District Revenue Officer,
Madurai District.
- 3.The Tahsildar,
Vadipatti Taluk,
Vadipatti,
Madurai District.

Order made in
W.P.(MD) No.23195 of 2022

10.10.2022