



W.P.(MD)No.23239 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 10.10.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition (MD) No.23239 of 2022

K.Manirajan

.. Petitioner

Versus

1.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Melur Revenue Division,
Vellaripatti,
Madurai District.

2.The Tahsildar,
O/o.the Tahsildar,
East Taluk,
Madurai District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents to convert the Natham Poromboke land into Punja house site of (Old Patta No.346), New Patta No.747 of the New Survey No.2/1, (Old S.No.354/1), situated in Mathur Velliankundram Village, East Taluk, Madurai District, as per the registered deeds and consequently, issue a joint Patta or consider the petitioner's representation, dated 19.09.2022, within a stipulated period.

For Petitioner : Mr.R.Santhanam

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 respondents to convert the Natham Poromboke land, situated at New Survey No.2/1, (Old S.No.354/1) [New Patta No.747 (Old Patta No.346)], Mathur Velliankundram Village, East Taluk, Madurai District, into Punja house site, as per the registered deeds and consequently, to issue a joint Patta, by considering the petitioner's representation, dated 19.09.2022, within a time frame to be fixed by this Court.

2.Heard Mr.R.Santhanam, 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.According to the petitioner, his grandfather namely, Soundarapandia Pillai purchased the aforesaid Punja land, measuring an extent of 7.189 cents from one Thangamuthu Pillai and others through a registered sale deed, bearing Document No.133/1947, dated 03.01.1947, on the file of the Sub-Registrar, Tamaraipatti Sub-Registration Office, Madurai. Thereafter, all the revenue records were mutated in the name of his grandfather and Patta No.346



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4.Further, according to the petitioner, his grandfather died intestate.

After the demise of his grandfather, a portion of the property was sold by the petitioner's uncle, namely, S.Muthu Manickam and his legal heirs to one V.Malaichamy, S/o.Vellaisamy @ Malaiyandi, through a registered sale deed, bearing Document No.1250/1982, dated 12.07.1982. Thereafter, the first respondent issued joint Patta No.747 in the names of M.S.Muthammal, Meenatchinatha Pillai, Muthumanickam and Malaichamy, who are the petitioner's grandmother, father and paternal uncle and the purchaser, respectively. Further, the petitioner's brother's son S.Senthilkumar and others sold a portion of the property, measuring an extent of 1 ½ cents to one Karthikeyan, through a registered sale deed, bearing Document No.5808/2007, dated 10.08.2007, wherein it has been clearly stated that the property is a Punja land. While so, on verification of the revenue records, the petitioner came to know that the said land has been converted as Natham Poromboke land without any valid documents. Immediately, he made a representation to the respondents herein on 19.09.2022 with all the relevant records seeking to convert the aforesaid Natham Poromboke land into Punja house site. However, till date, no action has been taken on the petitioner's representation. Hence, the present Writ Petition.



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5.The learned Additional Government Pleader appearing for the respondents would submit that the petitioner's representation dated 19.09.2022, would be considered and appropriate orders would be passed by the respondents in accordance with law, within a time frame to be fixed by this Court.

6.Considering the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the respondents to consider the petitioner's representation, dated 19.09.2022 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order.

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

Index : Yes/No

10.10.2022

To

1.The Revenue Divisional Officer,
O/o. the Revenue Divisional Officer,
Melur Revenue Division,
Vellaripatti,
Madurai District.

<https://www.mhc.tn.gov.in/filing>



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2.The Tahsildar,
O/o.the Tahsildar,
East Taluk,
Madurai District.



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V.BHAVANI SUBBAROYAN, J.

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Order made in
W.P.(MD) No.23239 of 2022

10.10.2022