



WEB COPY



W.P.(MD)No.25054 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.11.2022

CORAM

THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W. P. (MD) No.25054 of 2022

Indirani

... Petitioner

Versus

1.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.

2.The Tahsildar,
Uthamapalayam Taluk,
Theni District.

... Respondents

Prayer: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent herein to issue patta for the extent of 540 sq.ft., to the petitioner as per the document of title of registered sale deed dated 18.11.2020 vide Doc.No.1984/2020 in favour of petitioner as directed by the first respondent in Na.Ka.No.A5/2278/2021 dated 01.09.2021.

For Petitioner	:	Mr.K.Appadurai
For Respondents	:	Mr.D.Sadiq Raja Additional Government Pleader

ORDER

This petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, to direct the second respondent herein to issue patta for the extent of 540 sq.ft., to the petitioner as per the document of title of registered



sale deed dated 18.11.2020 vide Doc.No.1984/2020 in favour of petitioner as directed by the first respondent in Na.Ka.No.A5/2278/2021 dated 01.09.2021.

2.By consent of both sides, this petition is taken up for final hearing at the admission stage itself.

3.The case of the petitioner is that he purchased the land in Old Survey No.59/1P, New Survey No.450/23 measuring to an extent of 540 sq.ft., situated at West Pilayar Koil Street, Anaimalaiyanpatti Village @ Mallingapuram, Uthamapalayam Taluk, Theni District, vide registered sale deed, dated 18.11.2020 in Doc.No.1984/2020 and he is in possession and enjoyment of the said property. The petitioner applied for transfer of patta for the aforesaid property. The first respondent erroneously issued patta to an extent of 0.00.23 (248 sq.ft) only, instead of 540 sq.ft. Hence, the petitioner sent a representation to the first respondent on 19.06.2021 and on 21.06.2021 to the second respondent to carryout the correction of entry made in the patta or issue a fresh patta to him as per registered document. He made further representation to the first respondent on 25.08.2021. Thereafter, the first respondent directed the second respondent to issue patta as per the document of title produced by the petitioner. Though the second respondent received the said communication and direction from the first respondent, he has not chosen to do so. Hence, the petitioner is before this Court by filing this petition with the aforesaid prayer.



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4.The learned counsel appearing for the petitioner submitted that it would suffice to issue a direction to the official respondents to consider the petitioner's representation dated 20.08.2022.

5.The learned Additional Government Pleader appearing for the official respondents has no objection for such an order being passed by this Court.

6.Considering the above said submissions, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to take action on the communication sent by the first respondent in Na.Ka.No.A5/2278/2021, dated 01.09.2021 and conclude the same, after giving due opportunity of hearing to the petitioner and any other persons, who may be interested in the subject matter, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition is disposed of. No costs.

04.11.2022

Index : Yes/No
Internet : Yes/No
Rmk



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To

1.The Revenue Divisional Officer,
Uthamapalayam,
Theni District.

2.The Tahsildar,
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V.BHAVANI SUBBAROYAN, J.

Rmk

Order made in
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