



W.P.(MD)No.26224 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 21.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W/.P. (MD) No.26224 of 2022

V.Santhanakrishnan

.. Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Kumbakonam,
Thanjavur District.

2.The Thasildar,
Papanasam Taluk Office,
Thanjavur District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the first respondent to consider the petitioner's representation dated 28.02.2019 and reminder dated on 23.06.2022 and to issue patta to the petitioner regarding the property in Old SR.No.599/2, New SR.No.648/5 to an extent of 2400 sq.ft in Soolamangalam-II, Sethi, Papanasam Taluk, Thanjavur District.

For Petitioner	:	Mr.A.Senthil Kumar
For Respondents	:	Ms.K.Christy Theboral Additional Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus,

<https://www.mhc.tn.gov.in/jd/jd.jsp> directing the first respondent to consider the petitioner's representation, dated



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28.02.2019 and the reminder, dated 23.06.2022 and to issue patta to the petitioner regarding the property in old survey No.599/2 and New Survey No. 648/5 to an extent of 2400 sq.ft in Soolamangalam-II, Sethi, Papanasam Taluk, Thanjavur District.

2.Heard Mr.A.Senthil Kumar, learned counsel for the petitioner and Ms.K.Christy Theboral, learned Additional Government Pleader, who takes notice for the respondents. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

3.The grievance of the petitioner is that the petitioner purchased the above property in old survey No.599/2 and New Survey No.648/5 to an extent of 2400 sq.ft in Soolamangalam-II, Sethi, Papanasam Taluk, Thanjavur District by way of a registered sale deed. He applied for patta to the respondents. But the same is not considered till date.

4.The learned counsel for the petitioner submitted that from the date of purchase of the said property, the petitioner was in possession and enjoyment of the same by constructing house. He also paid necessary service charges to the concerned departments. The petitioner made a representation on 28.02.2019 seeking patta in the name of the petitioner. Thereafter, the Village



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Administrative Officer submitted a report after conducting enquiry with regard to the said property. The petitioner also appeared for enquiry and submitted all the relevant documents to the respondents. He also forwarded a reminder to the first respondent on 23.06.2022. But no action has been taken by the first respondent to issue patta to the petitioner. Hence, the petitioner has filed the present writ petition.

5.The learned counsel appearing for the petitioner would submit that it would suffice to issue a direction to the respondents to consider the petitioner's representation, dated 28.02.2019.

6.No prejudice would be caused to the respondents, if the petitioner's representation is considered on merits and in accordance with law, after affording a fair hearing to the petitioner, as well as any other necessary party, whom the first respondent deems fit to enquire.

7.Considering the above said submissions, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider the petitioner's representation, dated 28.02.2019 and pass appropriate orders, on merits and in accordance with law, after affording a fair hearing to the petitioner, as well as any other necessary party, whom the first



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respondent deems fit to enquire, within a period of eight [8] weeks from the date of receipt of a copy of this order.

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

21.11.2022

Index : Yes/No
Internet : Yes/No
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To

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Revenue Divisional Office,
Kumbakonam,
Thanjavur District.

2. The Thasildar,
Papanasam Taluk Office,
Thanjavur District.



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V.BHAVANI SUBBAROYAN, J.

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