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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 25.11.2022

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THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26666 of 2022

Posalan ..Petitioner

Vs

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakkottai,
Sivagangai District.

3.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

4.Arockiasamy ..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the second respondent to pass appropriate orders on the representation of the Petitioner, dated 11.05.2022 for issuance of patta in his name for the lands in S.No.119/11 in Managiri Sukkanendhal Village, Karaikudi Taluk, Sivagangai District within the time frame fixed by this Court.

For Petitioner :Mr.V.K.Peter Rajan

For Respondents 1 to 3 :Mr.C.Satheesh
Govt.Advocate

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ORDER

The Petitioner has prayed for issuance of a Writ of Mandamus directing the second respondent to pass appropriate orders on the representation of the Petitioner, dated 11.05.2022 for issuance of patta in his name for the lands in S.No.119/11 in Managiri Sukkanendhal Village, Karaikudi Taluk, Sivagangai District within the time frame fixed by this Court.

2.Mr.C.Satheesh, learned Government Advocate takes notice for the respondents 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the Petitioner is that the prayer mentioned property originally belongs to the Government.The Government has assigned the above said land to the Petitioner's father and he has constructed a thatched shed.The Petitioner's father made several representations to the respondents 1 to 3 and the Village Administrative Officer on various occasions to get the revenue documents in his name, but they are of no use. On 1.9.2021, when verified the online patta, the fourth respondent's name was found place in the patta.The Petitioner's father therefore submitted a representation on 28.09.2020 to the second respondent, but no action was taken. Whileso, the Petitioner's father passed away on 31.05.2021, leaving behind the Petitioner's brother, myself and mother

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as his legal heirs. Being elder member of the family, the Petitioner submitted a representation on 11.5.2022 narrating all the above facts with a request to cancel the patta in favour of the fourth respondent and to issue patta in favour of the Petitioner.Though the second respondent received the representation on 12.5.2022, till date there is no response from him. Hence the present Writ Petition is filed for the relief stated supra.

4.The learned Government Advocate appearing for the respondents 1 to 3 would submit that the Petitioner's representation will be considered and appropriate orders will be passed in accordance with law, within the time limit prescribed by this Court.

5.In view of the above submission, this Court, without expressing any opinion on the merits of the matter, directs the second respondent to consider the representation of the Petitioner, dated 11.5.2022 and pass appropriate orders on merits and in accordance with law,after affording an opportunity of hearing to all the parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order.

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

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Index : Yes/No

Internet:Yes/No

vsn

To

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V.BHAVANI SUBBAROYAN,J

vsn

ORDER MADE IN
W.P(MD)No.26666 of 2022

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