



W.P.(MD)No.26999 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 30.11.2022

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THE HONOURABLE Mrs.JUSTICE V.BHAVANI SUBBAROYAN

W.P. (MD) No.26999 of 2022

Nalraman

.. Petitioner

Vs.

1.The Revenue Divisional Officer cum Sub Collector,
Thirumangalam Revenue Division,
Thirumangalam, Madurai District.

2.The Tahsildar,
Thirumangalam Taluk Office,
Thirumangalam,
Madurai District.

.. Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to issue patta in respect of the properties in Ward No.17, Door No.4, for an extent of 783 sq.ft., along with house property as situated at Arunthathiyar Street, Thirumangalam Town, Thirumangalam Sub-Division, Madurai District on the basis of the petitioner's representation dated 26.09.2022 within time frame fixed by this Court.

For Petitioner	: Mr.T.Vadivelan
For R1 & R2	: Mrs.K.Christy Theboral
	Additional Government Pleader



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ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to issue patta in respect of the properties in Ward No.17, Door No.4, for an extent of 783 sq.ft., along with the house property situated at Arunthathiyar Street, Thirumangalam Town, Thirumangalam Sub-Division, Madurai District on the basis of the petitioner's representation, dated 26.09.2022 within the time frame fixed by this Court.

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

3. The grievance of the petitioner is that representation submitted by the petitioner seeking patta in his favour for the petition mentioned properties has not been considered.

4. The learned counsel for the petitioner submitted that the mother of the inherited the petition mentioned property by way of a Will dated 04.10.1995.

Thereafter, the petitioner and his mother were in peaceful possession and



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enjoyment of the properties by constructing a mud house. While that being so, the Revenue Authorities made hurdles for the peaceful possession and enjoyment of the property. Hence, the mother of the petitioner filed a suit in O.S.No.19 of 2006. The same was decreed in favour of the petitioner's mother. Based on the said decree, the petitioner and his mother applied for patta along with necessary documents. Since the same has not been considered, the petitioner made a representation, dated 26.09.2022. But the same has not been considered till date. Hence, the petitioner has filed the present petition with the prayer aforementioned.

5. No prejudice would be caused to the respondents, if the application of the petitioner dated 26.09.2022 seeking patta with regard to the petition mentioned property, is considered on merits and in accordance with law, after hearing the petitioner as well as the rival claimants, if any.

6. Accordingly, this Court, without expressing any opinion on the merits of the matter, directs the respondents to consider the representation of the petitioner dated 26.09.2022 seeking patta, after giving notice to the petitioner and rival claimants, if any, within a period of twelve [12] weeks from the date of receipt of a copy of this order.



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7. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

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Index : Yes/No
Internet : Yes/No
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To

1. The Revenue Divisional Officer cum Sub Collector,
Thirumangalam Revenue Division,
Thirumangalam, Madurai District.
2. The Tahsildar,
Thirumangalam Taluk Office,
Thirumangalam,
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V.BHAVANI SUBBAROYAN, J.

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Order made in
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30.11.2022