



W.P.(MD)No.1574 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 10.10.2023

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THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD)No.1574 of 2021

and

W.M.P.(MD)No.1336 of 2021

C.Thangasamy

.. Petitioner

Versus

1.The District Collector,
Office of the District Collector, Thanjavur.

2.The Tahsildar,
Office of the Tahsildar, Peraoorani Taluk,
Thanjavur District.

3.The Deputy Tahsildar,
Office of the Deputy Tahsildar,
Peraoorani Taluk, Thanjavur District.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents herein to grant Patta in favour of the petitioner in respect of his property comprised in S.No. 126/2 of an extent of 33 cents, situated at Palayanagaram Village, Marudukurichi Post, Peraoorani Taluk, Thanjavur District, in pursuance to the proceedings issued by the third respondent vide his proceedings in R.P.No. 907/1A/BKD/20/ASO-PKT, dated 10.08.1970, within the time stipulated by this Court.



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For Petitioner : Mr.B.Jameel Arasu

For Respondents : Ms.D.Farjana Ghoushia
Special Government Pleader

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the respondents to grant Patta in favour of the petitioner with respect to the property in Survey No.126/2, measuring an extent of 33 cents at Palayanagaram Village, Marudukurichi Post, Peraoorani Taluk, Thanjavur District.

2. The case of the petitioner is that the subject property is in his possession and enjoyment for a very long period of time and by virtue of the long possession, the father of the petitioner had sought for Patta and the third respondent, through the proceedings dated 10.08.1970, had also expressed that the Patta will be granted in favour of the father of the petitioner. There was some partition in the family and the petitioner has been allotted an extent of 1 Acre and 88 Cents. The petitioner claims that he has constructed a house and there are coconut trees in the property. The petitioner wanted Patta to be granted in his favour for the property in his possession. Since the same was not considered, the present Writ Petition has been filed before this Court.



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3. When the matter was taken up for hearing today, the learned Special Government Pleader appearing on behalf of the respondents, based on the written instructions received from the second respondent, submitted that with respect to Survey No.126/2, already Patta was granted in favour of one Vijaya, W/o.Nagalingam, for an extent of 0.01.0 Ares. It was further submitted that the entire extent in Survey No.126/2 has been categorized as "Government Punja" in the revenue records and there is a total extent of 0.49.5 Ares. In view of the same, it was contended that there is no scope for granting Patta to an extent of 33 cents as sought for by the petitioner.

4. Taking into consideration the facts and circumstances of the case, there shall be a direction to the second respondent to pass appropriate orders on the request made by the petitioner and convey the decision taken to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of in the above terms. No costs. Consequently, connected Miscellaneous Petition is closed.

NCC : Yes/No
Index : Yes/No
smn2

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N.ANAND VENKATESH, J.

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