

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:30.03.2023

CORAM

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD).No.6963 of 2023

A.Mohamed Ismail

... Petitioner

Vs

1. The District Collector,
Office of the Collector,
Ramanathapuram District.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Ramanathapuram District.
3. The Tahsildar,
Ramanathapuram Taluk Office,
Ramanathapuram Taluk,
Ramanathapuram District.

... Respondents

Prayer:Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the first and second respondent to direct the third respondent to issue Patta to an extent of 10 cents in Survey No.130/2A1A in favour of petitioner in view of the sale

deed document No. 218/2001 and the order of this Court in W.A.(MD).No. 408 of 2005 dated 21.11.2006 at Sakkarakottai Village, Ramanathapuram District by considering the petitioner's online application No. 2023/0105/27/223762 dated 01.02.2023.

For Petitioner :Mr.S.Atham Ali

For R1 to R3 :Mr.J.Ashok
Additional Government Pleader

ORDER

The writ petition has been filed in the nature of mandamus, seeking a direction against the third respondent to grant Patta for the land measuring 10 cents in S.No.130/2A1A in favour of the petitioner, A.Mohamed Ismail, consequent to a sale deed, registered as Doc.No. 218/2001 and orders of the High Court and Hon'ble Supreme Court, dismissing the acquisition proceedings by the Housing Board. The petitioner had given online application on 01.02.2023.

2.In the affidavit filed in support of the writ petition, it had been stated that the Housing Board had initiated acquisition proceedings. But the petitioner had filed the writ petition, taking advantage of Section 11(4) of the Land Acquisition Act, 1894 to hold that the acquisition proceedings had

lapsed. Though the writ Petition was dismissed, the writ appeal filed by the petitioner was allowed and the SLP filed by the Housing Board was dismissed. Therefore, finality had come to the acquisition proceedings.

3.Now, the petitioner claims that patta be granted in his name.

4.If the claim of the petitioner is otherwise in order, a direction is given to the third respondent to examine the records and pass necessary orders. The said exercise should be completed within a period of 12 weeks, from the date of receipt of a copy of this order.

5.With the above directions, this Writ Petition stands disposed of.

No costs.

30.03.2023

NCS :Yes/No
Index :Yes/No
Internet:Yes/No

PNM

To

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Office of the Collector,
Ramanathapuram District.
2. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Ramanathapuram District.
3. The Tahsildar,
Ramanathapuram Taluk Office,
Ramanathapuram Taluk,
Ramanathapuram District.

C.V.KARTHIKEYAN,J.

PNM

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