



WP(MD)No.10919/2020

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.04.2023

CORAM

THE HONOURABLE MS.JUSTICE P.T.ASHA

WP(MD)No.10919/2020

R.Mariadoss

... Petitioner

Vs.

1.The District Collector,
Thenkasi District.

2.The Tahsildar,
Taluk Office,
Veerakeralam Pudur,
Thenkasi Taluk,
Thenkasi District.

3.R.Jeyaseelan

... Respondents

(R3 impleaded vide Court order dated 06.04.2023 in WMP(MD)No. 14317 of 2022 in WP(MD)No.10919 of 2020)

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents 1 and 2 to grant patta for the Natham S.No.485/14 measuring 202.35 square meters situated in Keezhakalangal Village, Alangulam Panchayat Union, Veerakeralam Pudur Taluk, Thenkasi District purchased by the petitioner by a registered sale deed dated 10.09.2019 vide Doc. No.2543 of 2019 based on the petitioner's representation dated 02.07.2020.



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For Petitioner : Mr.C.Christopher

For Respondents : Mr.D.Ghandiraj,
Special Government Pleader
for R1 and R2

Mr.S.Rajasekar for R3

ORDER

The petitioner has filed this writ petition for the issue of a writ of mandamus directing the respondents 1 and 2 to grant patta in respect of the Natham S.No.485/14 measuring 202.35 square meters situated in Keezhakalanga Village, Alangulam Panchayat Union, Veerakeralam Pudur Taluk, Thenkasi District purchased by the petitioner vide registered sale deed dated 10.09.2019 in Doc. No.2543 of 2019 based on the petitioner's representation dated 02.07.2020.

2. The facts in brief are set out herein below.

2.1. It is the case of the petitioner that he is the absolute owner of the above property by virtue of sale deed dated 10.09.2019. The suit property was the ancestral property of Anthony s/o. Shanmugam. The said Anthony had alienated the same in favour of his son Shanmugiah on



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31.07.2009. Shanmugiah, thereafter, sold the same to the petitioner's vendor Maruthapandian on 01.07.2019 and from Muruthapandian, the petitioner had purchased the property on 10.09.2019.

2.2. The petitioner would submit that despite his representation dated 02.07.2020 requesting to have the revenue records mutated in his name, the respondents 1 and 2 have not responded. The petitioner would submit that under provisions of Section 3 (1) of the Tamil Nadu Patta Pass Book, Act, the Tahsildar is the concerned Authority to issue the patta. However, since the Authorities were not proceeding with the mutation of the revenue records, the petitioner has moved this Court.

3. The learned Special Government Pleader would submit that the property in question is described as Government Poromboke and public tank and therefore, patta cannot be granted. He has also produced a communication received by him from the Revenue Tahsildar, Veerakeralam Pudur Taluk, in which, it is stated that the property is described as Government vacant site and public tank and several



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fraudulent documents have been created, for which, steps are being taken for cancellation.

4. Be that as it may, considering the fact that the writ petition is filed only for considering the representation, the respondents 1 and 2 are directed to consider the representation of the petitioner dated 02.07.2020, after giving notice to the petitioner and the newly impleaded third respondent and after hearing all the interested persons by affording a personal hearing, pass speaking orders within a period of six weeks from the date of receipt of a copy of this order.

5. With the above directions, the writ petition is disposed of. No costs.

06.04.2023
(2/2)

NCC:Yes/No
Index:Yes/No
Speaking/Non-speaking order

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To

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Thenkasi District.

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Veerakeralam Pudur,
Thenkasi Taluk,
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P.T.ASHA, J.

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