



W.P.(MD)No.12941 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 06.11.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.12941 of 2021

Vijayan

... Petitioner

vs.

1.The District Collector,
Virudhunagar District, Virudhunagar.

2.The Revenue Divisional Officer,
Sivakasi, Virudhunagar.

3.The Tahsildar,
Srivilliputhur Taluk, Virudhunagar District. ... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 2nd respondent to issue patta to the property in Survey No.853/3, Koompatti village, Watrap, Srivilliputhur Taluk, Virudhunagar District by considering the representation of the petitioner dated 01.06.2021, in lieu of the recommendation of the 3rd respondent in Na.Ka.A1No.152/2019 dated 05.02.2019 within the time limit stipulated by this Court.



W.P.(MD)No.12941 of 2021

For Petitioner :Mr.M.Jegadeesh Pandian
For Respondents :Mr.A.K.Manikkam
Special Government Pleader

ORDER

This Writ Petition has been filed seeking for issuance of a Writ of Mandamus directing the second respondent to issue patta to the subject property in line with the recommendation made by the third respondent through proceedings dated 05.02.2019 after considering the representation made by the petitioner on 01.06.2021.

2.Head Mr.M.Jegadeesh Pandian, learned Counsel appearing on behalf of the petitioner and Mr.A.K.Manikkam, learned Special Government Pleader appearing on behalf of the respondents.

3.The case of the petitioner is that the subject property belongs to a Temple and that the Temple is being administrated by the community people. A representation was made by the petitioner to the third respondent requesting the third respondent to issue patta in the name of the Temple. On receipt of the representation, the third respondent through proceedings dated 05.02.2019, recommended for issuance of



W.P.(MD)No.12941 of 2021

patta in the name of the Temple. Pursuant to the same, a representation was made to the second respondent to act upon the recommendation made by the third respondent. Since the same was not considered, the present Writ Petition has been filed before this Court.

4.Taking into consideration the facts and circumstances of the case and also the recommendation made by the third respondent through proceedings dated 05.02.2019, it will suffice, if a direction is issued to the second respondent to consider the representation made by the petitioner on 01.06.2021 and to deal with the same on its own merits and in accordance with law after taking into consideration the recommendation made by the third respondent and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation before the second respondent along with all the relevant documents and also a copy of this order.



W.P.(MD)No.12941 of 2021

WEB COPY 5.This Writ Petition is disposed of with the above directions. No costs.

Index :Yes / No
Internet :Yes
NCC : Yes/No

06.11.2023

cmr

To

1.The District Collector,
Virudhunagar District, Virudhunagar.

2.The Revenue Divisional Officer,
Sivakasi, Virudhunagar.

3.The Tahsildar,
Srivilliputhur Taluk, Virudhunagar District.



WEB COPY



W.P.(MD)No.12941 of 2021

N.ANAND VENKATESH, J.

cmr

W.P.(MD)No.12941 of 2021

06.11.2023