



WP(MD)No.16648 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

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Mohideen Fathima

... Petitioner

Vs

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Thiruchendur,
Thoothukudi District.

3.The Tahsildar,
Thiruchendur Taluk,
Thiruchendur,
Thoothukudi 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 respondents 2 & 3 to issue patta for the petitioner's property to an



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extent of 15 cents situated in Old Survey No. 186/1, New Survey No. 589/17 Kulasekarapattinam Village, Thiruchendur Taluk, Thoothukudi District based on the registered partition release deed executed by the petitioner's sister Mrs.K.Ramjan in her favour in Doc.No. 556/2020 dated 16.03.2020 on the file of the Sub Registrar, Udangudi, Thoothukudi District as well as based on her representation dated 19.07.2022 submitted to the third respondent within the time limit that may be stipulated by this Court.

For Petitioner : Mr.Raja Ravi Varma

For Respondents : Mr.M.Sarangan

Additional Government Pleader

ORDER

The petitioner has submitted an application for grant of patta for his lands in New Survey No. 589/17 Kulasekarapattinam Village, Thiruchendur Taluk, Thoothukudi District and has filed this writ petition that his application, dated 19.07.2022 has not been considered by the respondents so far.



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2.Mr.M.Sarangan, learned Additional Government Pleader who takes notice for the respondents, on written instructions , which he has received from the Tahsildar, Tiruchendur submits that the petitioner has applied for grant of patta for the land in Survey No. 589/17 Kulasekarapattinam Village, Thiruchendur Taluk, Thoothukudi to an extent of 15 cents. Out of 15 cents, the petitioner is having right over the land in 5.3 cents alone and the remaining land is classified as Government Poramboke land. Therefore, the application of the petitioner has not been processed and patta was not granted. The learned Additional Government Pleader further submits that the respondents are ready to issue patta to an extent of 5.3 cents of land, if the petitioner confines his prayer to that extent.

3.Recording the submissions made by the learned Additional Government Pleader, this Court is inclined to dispose of this writ petition on the following terms:



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- i. The respondents shall communicate the written instructions in Na.Ka.No.1871/2023, dated 17.07.2023 to the petitioner within a period of two weeks from the date of receipt of a copy of this order.
- ii. If the petitioner is inclined to confine his prayer for grant of patta to an extent of 5.3 cents of land, he can file a separate application and the respondent shall pass orders to that effect.
- iii. If the petitioner is having any grievance over the grant of patta for 5.3 cents of land alone, it is open to the petitioner to challenge the proceedings in the manner known to law.

4. Accordingly, this writ petition is disposed of. No costs.

18.07.2023

NCC : Yes / No.

Index : Yes / No.

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B.PUGALENDHI, J.

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Order made in
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18.07.2023