



W.P.(MD)No.18673 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 06.10.2023

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

W.P.(MD)No.18673 of 2020

Durai, S/o.Chidambaram

.. Petitioner

Versus

1.The District Collector,
Sivagangai District, Sivagangai.

2.The Tahsildar,
Thiruppathur Taluk Office, Thiruppathur,
Sivagangai District.

3.Palani

4.Chitra, W/o.Late. Kannan

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent to issue Patta to the petitioner with regard to house property in Door No.2/152 and Door No.2/154, including the vacant land in S.No.228/83 and 228/84 to an extent of 6 cents, situated at North Elaiyathakudi Village Group, Thiruppathur Taluk, Sivagangai District, based on the petitioner's representation dated 19.10.2019.

For Petitioner : Mr.G.Gomathi Sankar

For R1 and R2 : Mr.A.K.Manikkam
Special Government Pleader



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ORDER

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2. The second respondent has filed a counter affidavit and the relevant portion in the counter affidavit is extracted hereunder:-

"I submit that the Petitioner in his representation dated 19.10.2019 has requested to issue patta for his land in G.R. Survey No.228/83 and 228/84 of Ilayathangudi North group which is recorded as detailed below in the G.R. "A" Register.

<i>Survey No.</i>	<i>Classification</i>	<i>Extent</i>	<i>Ground Rent fixed Rs.</i>	<i>Name of the land owner Recorder</i>
228/83	Poramboke	2.5 cents	0.19	VR.Loambal Achi
228/84	Poramboke	1.5 cents	0.13	V.Raman Chettiyar

In 10(1) Chitta, the above survey numbers have been recorded as detailed below.

<i>S.No.</i>	<i>Extent</i>	<i>Ground rent</i>	<i>Patta No. and name of Pattadar</i>
228/83	0.01.5	0.19	72 VR.Loambal Achi
228/84	0.01.0	0.13	73 V.Raman Chettiyar



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The petitioner has purchased 4 cents only through a registered sale deed 575/1996 dated 19.06.1996 from Kathiresan and 5 others. He is entitled for patta for 4 cents only. But he is claiming patta for 6 cents. His claim will be considered during the implementation of Revenue follow up work in Ilayathankudi North Group for issuance of patta in Town Survey lands, the Special Tahsildar, Ground Rent Revenue Follow up work Karaikudi at Thiruppathur above is competent officer. Accordingly the petitioner was informed from this office letter in LDIS/B1/27880/19 dated 2.1.2020 to approach the Special Tahsildar G.R Revenue follow up work, Karaikudi at Thiruppathur for getting patta in his favour. Till date the petitioner was not made any representation before the Special Tahsildar (G.R) Office.

I submit that the Town Survey for Ilayathankudi will be taken after the completion of works in Karaikudi Taluk. If the petitioner himself is urgently require patta in respect of his land, in Suvey Numbers 228/83, and 228/84, he may file an application before the Special Tahsildar (G.R) Karaikudi at Thiruppathur. Soon on receipt of application from the petitioner, further action will be taken by the Special Tahsildar G.R. Karaikudi at Thiruppathur."

3. It is clear from the above that the second respondent cannot deal with the representation made by the petitioner and it is only the Special Tahsildar G.R. - Revenue follow up work, Karaikudi at Thiruppathur, who will be able to decide on the request made by the petitioner.



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4. In view of the same, the petitioner is directed to make a fresh representation to the Special Tahsildar G.R. - Revenue follow up work, Karaikudi at Thiruppathur and on receipt of the same, the concerned authority shall deal with the same on its own merits and in accordance with law and shall take a final decision as expeditiously as possible.

5. This Writ Petition is disposed of with the above direction. No costs.

NCC : Yes/No
Index : Yes/No
smn2

06.10.2023

Copy to:-

The Special Tahsildar G.R. - Revenue follow up work,
Karaikudi at Thiruppathur.

To

- 1.The District Collector,
Sivagangai District, Sivagangai.
- 2.The Tahsildar,
Thiruppathur Taluk Office, Thiruppathur,
Sivagangai District.



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N.ANAND VENKATESH, J.

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