



W.P.(MD)No.17779 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.07.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P.(MD)No.17779 of 2023

Sivasamy

... Petitioner

versus

1. The District Collector,
Thoothukudi District,
Thoothukudi.

2. The Tahsildar,
Srivaikundam Taluk,
Thoothukudi District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the 2nd respondent to issue patta for the house site in Survey No.227, to an extent of 1482.5 square feet in Survey No.352/19 (Old Survey No.352) situate at 4/111 North Street Eachanda Odai Village, Vallanadu Post, Thiruvaikundam Taluk, Thoothukudi District by considering the petitioner's representation dated 03.06.2023 within stipulated time.

For Petitioner : Mr.K.Anand

For Respondents : Mr.M.Sarangan,

Additional Government Pleader



W.P.(MD)No.17779 of 2023

ORDER

WEB COPY The petitioner has submitted an application dated 16.05.2023 to the respondents, requesting them to issue patta, for the land in Survey No.352/19 (old Survey No.352), to an extent of 1482.5 sq. ft., situated at 4/111 North Street, Eachanda Odai Village, Vallanadu Post, Thiruvaikundam Taluk, Thoothukudi District. Since there was no action on the said application, he submitted another application dated 03.06.2023 to the respondents for issuance of patta. However, there was no response from the respondents. Hence, the petitioner has filed this writ petition.

2. Mr.M.Sarangan, learned Additional Government Pleader, who takes notice for the respondents, on instructions, submits that patta for the land in Survey No.352/19 stands in the name of one Kasi, S/o.Sudalaimuthu, who is none other than the father of the petitioner. The pattadar Kasi, S/o.Sudalaimuthu is still alive and he is also having four legal heirs. Therefore, it is not feasible to grant patta, when the



W.P.(MD)No.17779 of 2023

land owner Kasi is still alive.

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3. In response to the said submission, the learned counsel for the petitioner submits that the petitioner's father Kasi and other legal heirs have given a No Objection Certificate for change of patta in favour of the petitioner. However, the respondents have not considered the same.

4. In the event the pattadar has given consent for changing patta in the name of the petitioner, the petitioner shall obtain necessary registered document from the pattadar and based on which, he can apply afresh.

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

24.07.2023

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.



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W.P.(MD)No.17779 of 2023

B.PUGALENDHI, J.

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