



W.P.(MD)No.20813 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 16.11.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.20813 of 2021

P.Chellapandian

... Petitioner

Vs.

1.The District Collector,
Madurai District, Madurai.

2.The Commissioner,
Madurai Corporation,
Anna Maligai,
Tallakulam,
Madurai - 625002.

3.The Tahsildar,
Madurai North Taluk,
Madurai.

4.The Deputy Tahsildar,
Sathamangalam Group,
Madurai North Taluk,
Madurai.

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, directing the 4th Respondent to file a report along with the documents pertaining to Villangudi 1st Bit Village, Survey No.109/10C in O.Mu.No.3162/2021/B1 dated 29/07/2021 within the stipulated time fixed by this Court.



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W.P.(MD)No.20813 of 2021

For Petitioner : Mr.S.Palpandi
For RR1, 3 & 4 : Mr.K.S.Selvaganesan
Additional Government Pleader
For R2 : Mr.K.K.Kannan

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the fourth respondent to file a report along with the relevant documents as directed by the third respondent through a memorandum dated 29.07.2021.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents 1, 3 and 4 and the learned counsel for the second respondent.

3.The case of the petitioner is that the subject property originally belonged to his grandmother. On her demise, the same was inherited by the father of the petitioner and his aunt. The aunt of the petitioner wanted to sell her share in the property to the petitioner and his brother and when the sale deed was presented for registration on 08.07.2021, refusal check slip was issued stating that the property in Survey No.109/10C stands in the name of Madurai Municipal Corporation.



W.P.(MD)No.20813 of 2021

4.The petitioner made a representation on 16.07.2021 before the third respondent to mutate the revenue records and to issue patta in the name of the petitioner and his brother. On receipt of the representation, the third respondent issued a memorandum to the fourth respondent directing him to file a report along with all the relevant documents pertaining to Survey No.109/10C and since no report and documents were forthcoming from the fourth respondent, there was no progress in the proceedings before the third respondent. Hence, the present writ petition has been filed before this Court seeking for a direction to the fourth respondent to file the report and documents within the time stipulated by this Court.

5.Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for by the petitioner, there shall be a direction to the fourth respondent to submit a report along with the documents pertaining to Survey No.109/10C before the third respondent within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the third respondent shall proceed further with the enquiry and pass orders within a period of twelve weeks thereafter. The third respondent before passing final orders, shall issue notice to the second respondent and afford opportunity to the Corporation.



W.P.(MD)No.20813 of 2021

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6.This writ petition is disposed of with the above directions. No costs.

16.11.2023

NCC : Yes / No

Index : Yes/No

Internet : Yes/No

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W.P.(MD)No.20813 of 2021

N.ANAND VENKATESH, J.

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W.P.(MD)No.20813 of 2021

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