



WP(MD)No.21142 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.06.2023

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.21142 of 2016

M.Pavun Samy

... Petitioner

v.

1.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

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

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the respondents to grant patta in the petitioner's name in respect of the house and house site bearing Door No.2/46 in S.No.93/28 admeasuring east west 27 feet, north south 22 feet situated at Kazhuvan Kulam Village, Tiruppuvanam Taluk, Sivagangai District, based on the petitioner's representation dated 26.02.2016.



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For Petitioner : Mr.T.Selvan

For Respondents : Mr.M.Siddhardhan,

Additional Government Pleader

ORDER

The petitioner has made a representation to the respondents seeking patta based on a decree, which he has obtained in O.S.No.129/2010 and thereafter, he filed this writ petition for a mandamus directing the respondents to grant patta in his name in respect of the house in Door No.2/46 in S.No. 93/28, Kazhuvan Kulam Village, Tiruppuvanam Taluk, Sivagangai.

2.Learned Additional Government Pleader, by relying upon the counter affidavit filed by the second respondent, submitted that the subject property is a Government land, classified as Government Poromboke in the natham land records. That apart, 'Gurunathan Sami Kovil Veedu' is situated in the subject property and is being worshipped by several people.



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3.He further submitted that the petitioner has filed the suit in O.S.No. 129/2010 before the Principal District Munsif Court, Manamadurai, without adding the revenue officials and obtained a decree. Based on that decree, he is now claiming patta on a Government land, where a temple is situated. On coming to know about the decree passed in O.S.No.129/2010, the Tahsildar has filed an appeal before the Sub Court, Sivagangai, in A.S.No.97/2015 and the same is still pending.

4.Considering the submissions made by the learned Additional Government Pleader, this writ petition is closed with liberty to the petitioner to establish his rights by filing a suit by adding the revenue officials as party and thereafter, seek the relief depending upon the outcome of the suit. No costs.

Index : Yes / No

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NCC : Yes / No

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To

1.The Revenue Divisional Officer,
Sivagangai District,
Sivagangai.

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2.The Tahsildar,
Taluk Office,
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