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W.P.No.3987 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.02.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.3987 of 2024

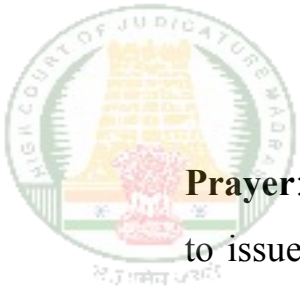
R.Raji

... Petitioner

Vs.

- 1.The District Collector
Villupuram District
Villupuram - 605 602
2. The Tahsildar
Marakkanam Taluk Office
Marakkanam
Villupuram District – 604303
3. Head Surveyor
Marakkanam Taluk Office
Marakkanam
Villupuram District – 604303
4. Surveyor
Sathamangalam
Marakkanam Taluk Office
Marakkanam
Villupuram District – 604303
5. Village Administrative Officer
Sathamangalam/Kolathur Village
Kolathur Village, Marakkanam Taluk
Villupuram District – 604303

... Respondents



Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondents to issue Patta in the name of the petitioner regarding the property situated at Sathamangalam Village in Survey No.38/10 Now 38/10A, as per Patta No.33, Survey No.38/10A4 measuring about Ace 0.03 cent out 00487 sq. mtr. 1308 Sq.ft., in Sathamangalam Village, Marakkanam Taluk, Villupuram District and direct them to intimate the same within a stipulated period before this Court and also direct them to pay compensation to the petitioner.

For Petitioner : Mr..A.D.Janarthanan

For Respondents : Mr.T.Arunkumar
Additional Government Pleader

ORDER

This Writ Petition is filed seeking to issue a Writ of Mandamus directing the respondents to issue Patta in the name of the petitioner regarding the property situated at Sathamangalam Village in Survey No.38/10 Now 38/10A, as per Patta No.33, Survey No.38/10A4 measuring about Ace 0.03 cent out 00487 sq. mtr. 1308 Sq.ft., in Sathamangalam Village, Marakkanam Taluk, Villupuram District and direct them to intimate the same within a stipulated period before this Court and also direct them to pay compensation to the petitioner.



2. The learned counsel for the petitioner submitted that the petitioner purchased the subject property by way of registered sale deed dated 05.05.2021 in Document No.1446 of 2021 on the file of the SRO, Marakkanam, Villupuram District from one Mala. At the time of registering the document, he paid Rs.400/- for sub division and transfer of Patta in his name along with the registration charges. Thereafter, when the petitioner approached the respondents, he was asked to pay separate charges for sub division of the property. Hence, the petitioner further paid a sum of Rs.800/- by way of E-Challan No.20211001577796 dated 01.10.2021 for transferring the Patta in his name as per the sale deed. On 28.02.2022, one Balaji, Surveyor along with other officials measured the property and put a stone in the said area for identification of the property. The said surveyor measured the property for more than three times. However, no proper reply was given regarding issuance of Patta. The petitioner made several representations to the respondents and also Public Information Officer. However, there is no response for more than two years. He also gave a complaint on 28.06.2023 against the officials to the Tahsildar and that the Tahsildar also gave a direction to the Head Surveyor to take charge for issuance of Patta. Since there was no response, the petitioner also sent a legal notice to the



respondents on 02.12.2023. However, there is no response from the respondents. Hence, the present Writ Petition is filed.

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3. Mr.T.Arunkumar, learned Additional Government Pleader takes notice for the respondents.

4. Having regard to the facts of the case and since the Writ Petition is filed seeking a simple writ of mandamus to direct the respondents to consider his application/representation for issuance of Patta, without going into the merits of the case, this Court directs the respondents to issue notice to the petitioner, adjacent land owners of the four boundaries of the subject property and also to the interested parties/rival claimants/objectors if any, as the case may be and conduct enquiry in the manner known to law and pass orders on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

5. With the above directions, the Writ Petition is disposed of at the admission stage itself. No costs.

20.02.2024

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Index : Yes / No

Neutral Citation Case : Yes/No



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P.VELMURUGAN. J.

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