



W.P. No.6240 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.6240 of 2024

P.Tamilselvan

... Petitioner

Vs.

1.The District Collector,
Collectorate, Villupuram,
Villupuram District.

2.The Revenue Divisional Officer,
Melmalayanur, Villupuram District.

3.The Tahsildar,
Melmalayanur,
Villupuram District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the third respondent to issue the patta in petitioner's name in respect of property situated in Survey No.36/2C, in Melmalaiyanur Village, Villupuram District.

For Petitioner : Mr. K. Santhosh

For Respondents : Mr.T. Arun Kumar,
Additional Government Pleader.



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ORDER

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This Writ Petition is filed seeking to issue a Writ of Mandamus directing the 3rd respondent to issue patta in petitioner's name, in respect of the property situated in Survey No.36/2C, in Melmalaiyanur Village, Villupuram District.

2. The learned counsel for the petitioner submitted that originally the property belongs to the father of the petitioner. Subsequently, there was a dispute between the petitioner and his brother. Hence, the petitioner filed a suit in O.S.No.146 of 2020 on the file of the Principal District Munsif Court, Gingee, for declaration and permanent injunction against his brother in and during pendency of the same, the matter was referred to Lok Adalat, Gingee, wherein, the matter was amicably settled on 10.04.2021, by way of executing a settlement memo and an Lok Adalat Award was passed in favour of the petitioner in LAC.No.151 of 2021. Thereafter, the petitioner approached the Sub Registrar, Valathi, Ginjee Taluk, Villupuram, for registration of the suit property as per the Lok Adalat Award. But he



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refused to the register the same. Hence, the petitioner made representations on 30.11.2021 and 04.01.2022 to the District Registrar, Tindivanam, to pass appropriate orders to the Sub Registrar, Gingee in respect of registering the Award. However, no action was taken. Hence, the petitioner filed a Writ Petition in W.P.No.15615 of 2022 and this Court by order dated 23.06.2022, directed the Registering authority to register the suit property as per the Lok Adalat Award stating that the Lok Adalat Award is equivalent to Civil Court decree and as per the directions of this Court, the Registering authority registered the Award and based on the registered Award, the petitioner made an online application in application No.2023/0103/07/344939 dated 27.10.2023, for issuance of Patta in his favour. But the same was not considered so far. Hence, the present Writ Petition is filed.

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



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4. Having regard to the submissions made by the learned counsel on either side and since the Writ Petition is filed seeking a simple Writ of Mandamus, this Court without expressing any opinion with regard to the merits of the case, directs the 3rd respondent to issue notice to the petitioner, adjacent land owners of the four boundaries of the subject property, interested parties/rival claimants/aggrieved parties/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 eight weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of at the admission stage itself. There shall be no order as to costs.

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Index : Yes / No

Speaking Order : Yes / No

Neutral Citation Case : Yes/No

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To

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P.VELMURUGAN. J.

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