



WEB COPY



W.P.No.14808 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.14808 of 2024

P.Mani

...Petitioner

-Vs-

The Tahsildar,
O/o. The Tahsildar,
Vanapuram Taluk,
Kallakurichi District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Mandamus, directing the respondent to include the petitioner representation dated 04.04.2024 with regard to issuance of Patta in respect of the petitioner's property to an extent of 4 ½ cents and 4 ¼ cents respectively comprised in Survey Nos.70/1 & 70/2 situated at Madhakovil Street, Erudaiyampattu Village, Vanapuram Taluk, Kallakurichi District within a stipulated period that may be fixed by this Court and pass such further orders.

For Petitioner : Mr.G.Balamanikandan

For Respondent : Mr.A.Selvendran
Special Government Pleader

ORDER



W.P.No.14808 of 2024

Mr.A.Selvendran, learned Special Government Pleader takes notice

on behalf of the respondent. With the consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition has been filed seeking for issuance of a writ of mandamus, directing the respondent to include the petitioner's representation dated 04.04.2024 with regard to issuance of Patta in respect of the petitioner's property to an extent of 4 ½ cents and 4 ¼ cents respectively comprised in Survey Nos.70/1 & 70/2 situated at Madhakovil Street, Erudaiyampattu Village, Vanapuram Taluk, Kallakurichi District.

3. It is the case of the petitioner that from the period of the petitioner's grandfather, the lands comprised in Survey Nos. 70/1 & 70/2 to an extent of 4 ½ cents and 4 ¼ cents respectively have been in their possession and enjoyment till date. The said lands are classified as Nattham in the Revenue Records. The petitioner's father also paid house tax on the said house. The petitioner's father executed an unregistered Will dated 08.03.2014 in his favour in respect of the above said lands. Subsequent to death, the petitioner has been in possession and enjoyment over the said property.



W.P.No.14808 of 2024

4. Learned counsel for the petitioner submits that the petitioner sent a representation dated 04.04.2024 to the District Collector, Kallakurichi and the respondent herein by requesting them to issue a patta for the above said lands. The District Collector has forwarded the said representation to the Revenue Divisional Officer, Kallakurichi vide proceedings in O.Mu.Aa2/E-8861/2024 dated 23.04.2024. However, the said application has not been considered. Aggrieved by the same, the petitioner has approached this Court by way of filing this writ petition.

5. Learned Special Government Pleader appearing for the respondent submits that now the procedure is only an online application with the prescribed fee. If the same is applied, it would be considered on merits and in accordance with law by the authority concerned.

6. Heard both sides and perused the materials available on record.

7. Taking into consideration the factual aspects of the matter, this Court without going into the merits of the case, issues the following directions:



W.P.No.14808 of 2024

a) The petitioner is directed to submit an online application with the prescribed fee.

b) While considering the petitioner's online application, the respondent is directed to conduct a detailed enquiry and dispose of the petitioner's application after giving notice to both parties, affording an opportunity of personal hearing to the petitioner as well as rival claimants/interested parties if any, to take into consideration all the relevant documents submitted by the parties in regard to the subject matter property and pass appropriate orders on merits, in accordance with law thereby following the above principles of natural justice within a period of four weeks from the date of receipt of a copy of this order.

In the result, the writ petition stands disposed of with the above observation and direction. No costs.

10.06.2024

cda

Index : Yes/No

Speaking/Non Speaking order

To



W.P.No.14808 of 2024

The Tahsildar,
O/o. The Tahsildar,
Vanapuram Taluk,
Kallakurichi District.

J.SATHYA NARAYANA PRASAD, J.

cda



WEB COPY



W.P.No.14808 of 2024

W.P.No.14808 of 2024

10.06.2024