



WEB COPY

W.P. No.19269 of 2019



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.03.2024

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P. No.19269 of 2019 and
W.M.P. No.18709 of 2019

Shek Dawood

... Petitioner

Vs.

1. The District Collector
Nagapattinam District
Nagapattinam
2. The Revenue Divisional Officer
Mayiladuthurai
Nagapattinam District
3. The Tahsildar
Kutthalam Taluk
Kutthalam, Nagapattinam District
4. Village Administrative Officer
Kutthalam Taluk
Kutthalam, Nagapattinam District
5. Shek Allavudeen
6. Hayasudeen

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the 1 to 4 respondents to initiate immediate enquiry upon the representation dated 14.04.2019 and to issue Patta in the name of the petitioner in respect of Survey Nos.174/1 measuring 5 Cents, Old Survey No.119C/5 and New Survey No.693/2 and 693/3, measuring 22 Cents of Kutthalam Village, Kutthalam Taluk, Nagapattinam



For Petitioner : Mrs.G.Soundari
For R1 to R4 : Mr.T.Arun Kumar
Additional Government Pleader
For R5 and R6 : Mr.L.S.M.Mohamed Kadar Shahib

ORDER

This Writ Petition is filled seeking to issue a Writ of Mandamus directing the 1 to 4 respondents to initiate immediate enquiry upon the representation dated 14.04.2019 and to issue Patta in the name of the petitioner in respect of Survey Nos.174/1 measuring 5 Cents, Old Survey No.119C/5 and New Survey No.693/2 and 693/3, measuring 22 Cents of Kutthalam Village, Kutthalam Taluk, Nagapattinam District.

2. The official respondents have filed counter stating that they issued notice and conducted enquiry on 14.05.2019 and the petitioner also appeared before the 3rd respondent on the said date but the petitioner did not produce any documents, however, he gave written statement stating that the petitioner will resort the issue through Civil Court based on which, they passed orders to seek remedy before the Civil Court. The Additional Government Pleader served the copy of the impugned order to the learned counsel for the petitioner.

3. The learned counsel for the petitioner accepted that the petitioner has



filed a suit however, the said suit is filed only for one survey number whereas, the petitioner has given representation for two other survey numbers.

WEB COPY

4. According to the respondents the petitioner has already approached the Civil Court and therefore, she can work out her remedy before the Civil Court. The present Writ Petition is filed only for simple Writ of Mandamus to direct the respondents to conduct enquiry and pass orders regarding issuance of Patta. Now it is stated that the 3rd respondent has already passed orders. Therefore, the Writ Petition has become infructuous. The petitioner is at liberty either to challenge the order passed by the 3rd respondent if so aggrieved or she can work out her remedy before the Civil Court in the manner known to law.

5. With the above observations, this Writ Petition is disposed of. Consequently, connected Miscellaneous Petition is closed. No costs.

11.03.2024

ksa-2

Index : Yes / No

Neutral Citation Case : Yes/No



To

1. The District Collector
The District Collectorate, Villupuram District
2. The Revenue Divisional Officer
Ulundurpet Division, Villupuram District
3. The Sub-Collector
Thirukovilur, Villupuram District
4. The Tahsildar
Ulundurpet Taluk, Villupuram District
5. The Sub Registrar
Thiruvannainallur SRO, Villupuram District



WEB COPY

W.P. No.19269 of 2019



P.VELMURUGAN. J.

Ksa-2

W.P. No.19269 of 2019

11.03.2024