



W.P.No.32101 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 06.11.2024

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 32101 of 2024

M.Palanisamy

...Petitioner

Vs.

1.The Tahsildar,
Coimbatore (North),
Coimbatore.

2.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Coimbatore.

3.The District Revenue Officer,
Office of the District Revenue Officer,
Coimbatore.

4.The District Collector,
Coimbatore District.

5.The Zonal Deputy Tahsildar,
Coimbatore North (02 Taluk),
Coimbatore (12) District.

...Respondents



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Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the respondents to grant patta in respect of the property comprised in S.No.709/2, 3, Kalapatti Village Coimbatore Taluk admeasuring 5.04 Acres as sought vide representation dated 20.08.2024.

For Petitioner : Mr. I.Kowser Nissar

For Respondents : Mr. A.Selvendran
Special Government Pleader.

ORDER

The Writ Petition is filed seeking a direction to the respondents to grant patta in respect of the property comprised in S.No.709/2, 3, Kalapatti Village Coimbatore Taluk ad measuring 5.04 Acres as sought in the representation dated 20.08.2024.



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2. Though the petitioner has submitted a representation on 20.08.2024 for grant of patta in respect of the property measuring an extent of 5.04, in S.No.709/2, 3, Kalapatti Village Coimbatore Taluk, the same has not been granted to date.

3. The lands in question belonged to one Karuppusamy to whom ayan patta was issued by the Tahsildhar, Coimbatore, by proceedings dated 24.10.1978. Karuppusamy became absolute owner of the extent of 6.14 acres and out of the said extent, he had sold 1.10 acres to the other caste Hindus.

4. Thereafter, the Government canceled the ayan patta granted to the said Karuppusamy. The same was challenged and was ultimately in the Writ Appeal in W.A.No.1214 of 1977, directions were issued to restore revenue records in the name of Karuppusamy. Meanwhile the petitioner had filed a suit for specific performance against the said



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Karuppusamy in O.S.No.615 of 1998 on the file of the II Additional Sub Court, Cuddalore. This was decreed by the Judgement and Decree dated 15.02.1999 and confirmed in A.S.No.155 of 2000 dated 25.11.2004 and the same has become final. The petitioner on purchasing the property has applied for patta, which has not been considered to date.

5. Considering the facts and circumstances of the case, the Writ Petition is allowed. The respondents are directed to consider the representation dated 20.08.2024 and issue patta within a period of 8 weeks from the date of receipt of a copy of this order. No costs.

06.11.2024

Index : Yes/No
Internet : Yes/No
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