



W.P.No.6191 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

CORAM

THE HON'BLE MR. JUSTICE P.VELMURUGAN

W.P.No.6191 of 2024

C.Anjalai Ammal

... Petitioner

Vs.

1 The District Collector,
Kallakurichi District,
Kallakurichi.

2 The Tahsildhar,
Kallakurichi Taluk and District.

3 The Revenue Divisional Officer,
Kallakurichi Taluk and District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 to 3 particularly the 2nd Respondent to issue patta in favour of the petitioner for the properties situated at Parameshwari Mangalam Village ulundurpet Taluk Kallakurichi District. (a) Comprised in Survey No.23/3- 0.10 2/ 3 cents out of 0.16 cents (b) Comprised in Survey No.



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23/7- 0.10 cents out of 0.15 cents (c) Comprised in Survey No.23/8-0.24 2/3 cents out of 37 cents after conducting an elaborate enquiry on the basis the petitioners representation dated 11.11.2022.

For Petitioner : Mr.R.Thanjan

For Respondent : Mr.T.Arunkumar
Additional Government Pleader

ORDER

This Writ Petition has been filed to issue a Writ of Mandamus, to direct the second respondent to issue patta in favour of the petitioner for the properties situated at Parameshwari Mangalam Village, Ulundurpet Taluk, Kallakurichi District on the basis the petitioner's representation dated 11.11.2022.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents and perused the materials available on record.

3. Learned counsel for the petitioner submitted that the petitioner has already filed writ petition in W.P.No.10917 2021 and this Court has



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also given direction to the respondents. At the time of enquiry, the petitioner has not produced the document. Hence the petitioner made further representation along with the document. Since there is no response from the respondents, the petitioner has filed the present writ petition.

4. Admittedly, the petitioner has already filed writ petition in W.P.No.10917 of 2021. This Court vide order dated 30.04.2021 directed the respondents to consider the petitioner's representation and pass orders within a period of 12 weeks. Based on the abovesaid order of this Court, the second respondent has issued notice to all the parties and conducted enquiry. At the time of enquiry, the petitioner did not produce the link document for survey No.23/3 and patta No.247. Hence the respondents have expressed their inability to issue the patta transfer. Though opportunity was given to the petitioner, the petitioner has not produced the link document before the second respondent and hence the second respondent did not issue patta to the petitioner. The petitioner herself admitted that she has not produced the link document. It is seen from the



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records, already the petitioner has filed similar writ petition and got the relief. Due to non-cooperation of the petitioner, the respondents have not issued the patta. Once again the petitioner has filed the writ petition for the very same relief.

5. Having regard to the submissions made by the learned counsel on either side and taking into consideration the limited prayer sought for by the petitioner, without expressing any opinion with regard to the merits of the case, this Court directs the respondents to consider the petitioner's representation dated 11.11.2022, and conduct enquiry in the manner known to law after issuing notice to the petitioner, adjacent land owners of four boundaries of the subject property and interested parties/rival claimants/objectors/if any, as the case may be and pass orders on merits and in accordance with law. The said exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

6. With the abovesaid direction, the Writ Petition is disposed of. The petitioner is directed to pay cost of Rs.10,000/- (Rupees Ten



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thousand only) to the credit of Chief Minister's Relief Fund.

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

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P.VELMURUGAN, J.

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