



WEB COPY



WP.No.35911 of 2024

In the High Court of Judicature at Madras

Dated : 03.12.2024

Coram :

The Honourable Ms.Justice P.T.ASHA

Writ Petition No.35911 of 2024

K.Vijayakumar

...Petitioner

Vs

The State by

1.The District Collector,
the Collector Office
Thirupattur.

2.The Sub Collector
the Sub Collector Office,
Thirupattur.

3.The Tahsildar,
the Thirupattur
Taluk Office,
Thirupattur District.

4. Abdul Razak

...Respondents

PETITION under Article 226 of The Constitution of India praying for the issuance of a Writ of Mandamus directing the 3rd respondent to consider the petitioner's representation dated 14.6.2023 and issue patta in favour of him in respect of the properties in (1) T.S.No.220/2 extent 378 square feet; (2) T.S.No.221/2 extent 184 square feet; (3) T.S.No.215/2, New T.S.No.215/2C extent 23 square meter; and (4) T.S.No.215/1, New T.S.215/1C extent 4 square meter in ward No.4, block No.5 at Thirupattur Town, Thirupattur District.



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For Petitioner : Mr.C.Chokkalingam
For R1 to R3 : Mr.A.Selvendran, SGP

ORDER

Seeking a Mandamus to the third respondent to consider his representation dated 14.6.2023 to issue a patta in respect of the properties in (1) T.S.No.220/2 measuring an extent of 378 square feet, (2) T.S.No.221/2 measuring an extent of 184 square feet, (3) T.S.No.215/2, New T.S.No.215/2C measuring an extent of 23 square meter; and (4) T.S.No.215/1, New T.S.215/1C measuring an extent of 4 square meter in ward No.4, block No.5 at Thirupattur Town, Thirupattur District, the petitioner is before this Court.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader accepting notice for respondents 1 to 3.

3. The case of the petitioner is that the said properties are his ancestral properties. He is in possession and enjoyment of the same. He has a house and has been paying tax to the Statutory Authorities. There were civil disputes between the petitioner and the fourth respondent and others with regard to the said properties and the civil disputes ended in his favour. But, the respondents wrongly issued



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patta in favour of the fourth respondent in respect of T.S.No.215/2C.

The petitioner made a representation dated 21.6.2017, pursuant to which, the petitioner attended for an inquiry twice before the second respondent on 17.10.2017 and 21.11.2017. The petitioner also sent a representation dated 14.6.2023 to the third respondent seeking to issue patta in respect of the said properties. However, for over a year the said representation of the petitioner is kept in cold storage without passing any orders. Hence, the petitioner is before this Court.

4. Considering the limited nature of the prayer sought, the writ petition is allowed and a Mandamus is issued to the third respondent to consider the said representation of the petitioner dated 14.6.2023 for the issuance of patta in respect of the said properties. The petitioner shall submit all the relevant records to show his title to the said properties and the third respondent shall, after issuing notice to the adjacent land owners and interested parties, hold an enquiry and thereafter, pass orders either granting patta or rejecting the request. In the case of rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of 6 weeks from the date of receipt of a copy of this order. No costs.



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P.T.ASHA,J

RS

To

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- 3.The Tahsildar
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