



W.P(MD)No.930 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

Writ Petition(MD)No.930 of 2024

S.Subramanian

... Petitioner

-Vs-

1.The District Collector,
Pudukkottai District,
Pudukkottai.

2.The Revenue Divisional Officer,
Pudukkottai.

3.The Tahsildar,
Pudukkottai Taluk,
Pudukkottai.

4.Bramman

... Respondents

PRAYER:- Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus directing the second respondent to cancel the patta in the name of the fourth respondent and to issue patta to the petitioner's name with respect to the property in S.No. 71/4B, M.Kulavaipatti Village, Pudukkottai Taluk and District by considering the petitioner's representation dated 11.09.2020.



W.P(MD)No.930 of 2024

For Petitioner : Mr.R.Balakrishnan
For Respondents : Mr.D.Gandhi Raj
Spl. Govt. Pleader (for R1 to R3)

ORDER

This writ petition is filed seeking for issuance of a Writ of Mandamus directing the second respondent to cancel the patta in the name of the fourth respondent and to issue patta to the petitioner's name with respect to the property in S.No.71/4B, M.Kulavaipatti Village, Pudukkottai Taluk and District by considering the petitioner's representation dated 11.09.2020.

2.Mr.D.Gandhi Raj, learned Special Government Pleader takes notice for the respondents 1 to 3. Considering the nature of the order proposed to be passed, protecting the interest of the fourth respondent also, notice to the fourth respondent is dispensed with. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the petitioner is that the petitioner's mother purchased the subject matter property measuring an extent of 50 cents by way of sale



W.P(MD)No.930 of 2024

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deed dated 08.10.1979. While so, without issuing any notice to her, the said property has been sub divided and patta has been issue only for 36 cents. However, for the remaining 14 cents, patta has been issued in the name of the fourth respondent. The petitioner has approached the second respondent seeking to cancel the patta issued in the name of the fourth respondent. The third respondent issued summons to attend the enquiry to be conducted on 13.02.2023. However, after enquiry, the third respondent did not take any steps to issue patta to the petitioner. Hence, the petitioner submitted representations to the first respondent on 11.04.2023, 17.04.2023 and 08.05.2023. The first respondent issued communication dated 03.05.2023 and directed the third respondent to conduct the enquiry and report the same to the first respondent. The first respondent has also issued a remainder on 26.05.2023. Thereafter also, no action was taken. Hence, the present writ petition has been filed.

4.The learned counsel for the petitioner would submit that it would suffice, if the representation of the petitioner is disposed of by the respondents, on merits and in accordance with law within the time stipulated by this Court.



W.P(MD)No.930 of 2024

WEB COPY

5.The learned Special Government Pleader appearing for the respondents 1 to 3 would submit that the petitioner's representation will be disposed of in accordance with law by the official respondents within the time stipulated by this Court.

6.In view of the above said submission, this Court, without expressing any opinion on the merits of the matter, directs the official respondents to dispose of the petitioner's representations and pass appropriate orders on merits and in accordance with law, after affording an opportunity of hearing to the parties concerned, within a period of 12 weeks from the date of receipt of a copy of this order.

7.With the above direction, the writ Petition stands disposed of. No costs.

18.01.2024

NCC : Yes/No
Index : Yes/No
Internet : Yes/No
skn



W.P(MD)No.930 of 2024

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To

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W.P(MD)No.930 of 2024

V.BHAVANI SUBBAROYAN, J.

skn

Writ Petition(MD)No.930 of 2024

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