



W.P.(MD).No.7945 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.03.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD).No.7945 of 2024

Sankarankovil Pastorate,
Represented by its
Pastorate Chairman,
Kinsley.

... Petitioner

Vs.

1.The District Collector,
Office of the District Collector,
Tenkasi,
Tenkasi (District).

2.The Tahsildar,
Office of the Tahsildar,
Sankarankovil (Taluk),
Sankarankovil,
Tenkasi (District).

3.The Taluk Surveyor,
Office of the Taluk Surveyor,
Sankarankovil (Taluk),
Sankarankovil,
Tenkasi (District).

4.Ponnusamy

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second and third respondents herein to survey and measure the property and issue a patta



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comprised in Survey Numbers 246 and 247, 247/95 extent of 5 cents situated at Perumpathur Village, Sankarankovil Taluk, Tenkasi District in pursuant of judgment and decree in O.S.No.152 of 2011 on the file of the Additional District Munsif Court, Sankarankovil based on the representation dated 03.01.2024 by this Court.

For Petitioner : Mr.V.Selvakumar
For R-1 to R-3 : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents 1 to 3. Issuance of notice to the fourth respondent is dispensed with.

2. The petitioner claims to have a decree in their favour. The petitioner is permitted to apply for issuance of patta before the second respondent on the strength of the Civil Court's decree. The second respondent shall issue notice to the fourth respondent and other interested persons and decide on the issue of patta. If patta is to be granted, survey exercise will have to be parallelly undertaken. A final order shall be passed on merits and in accordance with law by the second respondent within a period of four (4) months from the date of receipt of a copy of this order. I have not gone into the merits of the matter.



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3. This Writ Petition is disposed of accordingly. There shall be no order as to costs.

28.03.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No
Lm

To

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Tenkasi,
Tenkasi (District).

2.The Tahsildar,
Office of the Tahsildar,
Sankarankovil (Taluk),
Sankarankovil,
Tenkasi (District).

3.The Taluk Surveyor,
Office of the Taluk Surveyor,
Sankarankovil (Taluk),
Sankarankovil,
Tenkasi (District).



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G.R.SWAMINATHAN, J.

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