



W.P(MD)No.8622 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.04.2024

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.8622 of 2024

and

W.M.P.(MD)No.7894 of 2024

K.Vadamalaimuthu

... Petitioner

Vs.

1.The Commissioner of Land Administration,
The Commissioner of Land Administration,
Ezhilagam,
Chepauk,
Chennai-5.

2.The District Collector,
District Collectorate,
Madurai District.

3.The District Revenue Officer,
District Revenue Office,
District Collector Office Campus,
Madurai.

4.The Tahsildar,
Melur Taluk,
Madurai District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the respondents no. 2 to 4 to provide the patta to the petitioner based on the assignment given by respondent no. 4 dated 03.10.1947 in respect of S.No. 237/3E extent about 1.20



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acres situated at Ettimangalam Village, Melur Taluk, Madurai District within a time stipulated by this Court.

For Petitioner : Mr.CA.Arjun Shankar
For Respondents : Mr.K.Balasubramani
Special Government Pleader

ORDER

Heard both sides.

2. The petitioner seeks issuance of patta. He claims that the petition mentioned land was assigned in his favour.

3. The learned Special Government Pleader informs the Court that the land has been included in the prohibitory index. The petitioner's counsel draws my attention to the order dated 08.02.2022 in W.P.(MD)No.2506 of 2022. A learned Judge of this Court disposed of the writ petition in the following terms:-

“4. The prayer sought for by the petitioner is an innocuous one. No prejudice would be caused to the respondent if the petitioner's representation is considered on merits and in accordance with law. The petitioner has also filed kist receipt in the typed set of papers to show that he has been in possession of the land in question for a very long period of time. He has also filed the assignment made by the fourth respondent under which his father has been granting possession of the aforementioned property on 03.10.1947. According to the petitioner, he and his father are in possession of the said property ever since 1947 and till date patta has not been issued.



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5. In the aforementioned circumstances, this Court directs the fourth respondent to consider the petitioner's representation dated 06.09.2021 seeking for issuance of patta in his name for the aforementioned property and pass orders on merits and in accordance with law after affording a fair hearing to the petitioner within a period of twelve weeks from the date of receipt of a copy of this order”

4. When this Court has given such direction, I fail to understand as to why it was not complied with. In fact, I can take suo motu contempt action. The fourth respondent is directed to comply with the earlier order passed by this Court and communicate his decision forthwith and without any delay.

5. The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

05.04.2024

Index : Yes / No
Internet : Yes/ No
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To

1.The Commissioner of Land Administration,
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Chepauk,
Chennai-5.

2.The District Collector,
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Madurai District.

G.R.SWAMINATHAN, J.



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3.The District Revenue Officer,
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4.The Tahsildar,
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