



W.P.(MD)No.8266 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED **04.01.2024**

CORAM

THE HONOURABLE **MRS.JUSTICE V.BHAVANI SUBBAROYAN**

W.P(MD)No.8266 of 2023

T.Selvaraj

...Petitioner

/Vs./

1.The District Collector,  
Sivagangai District,  
Sivagangai.

2.The Tahsildar,  
Thiruppuvanam Taluk,  
Thiruppuvanam,  
Sivagangai District.

...Respondents

Prayer: Writ Petition - filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2<sup>nd</sup> respondent to issue patta to the petitioner's residing house situated in Survey No.95 of Thiruppuvanam Pudur village, Thiruppuvanam taluk, Sivagangai District, to an extent of 3 cents by considering the petitioner's representation dated 18.05.2022 within the stipulated time that may be fixed by this Court.

For Petitioner : Mr.M.Sudha Rani

For Respondents : Ms.S.Jeyapriya

Government Advocate



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**ORDER**

**WEB COPY** This writ petition has been filed for issuance of writ of mandamus directing the second respondent to issue patta to the petitioner's residing house measuring to an extent of 3 cents situated in Survey No.95, Thiruppuvanam Pudur village, Thiruppuvanam Taluk, Sivagangai District, by considering the petitioner's representation dated 18.05.2022.

2. According to the petitioner, the land in S.No.95, measuring an extent of 1 acre 25 cents belongs to the petitioner's grandfather. He sold 37 cents out of the said land in S.No.95 and also 17 acres of the land in S.No.93 of the said village to then British Railway Company in the year 1901 through a registered sale deed. However, the railway department had encroached the entire land in S.No.95 except 3 cents where there is a residential house constructed by the petitioner's grandfather. Even though the petitioner sent various representations to the railway department seeking for compensation, there is no reply from the department. While this being so, the petitioner applied for patta. Since there was no reply, the petitioner sent representations to the respondents. Since the same has not been considered till date, the present writ petition has been filed.



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**3.** The learned Government Advocate appearing for the respondents would submit that the respondents directed the petitioner to produce sufficient documents to substantiate his claim that the land in S.No.95 belongs to his grandfather. But, he has not produced any piece of documents till date. He would further submit that the land in S.No.93/1 belongs to his grandfather. After demise of his grandfather and his father, patta with respect to the property in S.No.93/1, stands in the name of the petitioner and the same is in possession and enjoyment of the same. It is clear from the revenue records which are older than 100 years that the lands were classified as Government Poramboke “Railway Feeder A Class”. During the settlement period, the lands were continued to be classified as Government Poramboke “Iruppupathai Nirantharam”. Now, the land is classified as “Railway Feeder Line”. The petitioner has not produced any documents to prove his ownership of the aforementioned property. Hence, this petition deserves to be dismissed.

**4.** Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

**5.** This Court, without going into the merits of the case, directs the petitioner to approach the respondents with supporting documents regarding his



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title over the property in S.No.95, within a period of four weeks from the date of receipt of a copy of this order and the same shall be considered by the respondents within a period of twelve weeks thereafter and proceed further.

6. With the above directions, this writ petition is disposed of. No costs.

**04.01.2024**

NCC : Yes/No  
Index : Yes/No  
Internet: Yes/No  
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TO:-  
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Thiruppuvanam,  
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**V.BHAVANI SUBBAROYAN, J.**

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Order made in  
**W.P(MD)No.8266 of 2023**

Dated:  
**04.01.2024**