



W.P.(MD) No.23168 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2024

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.23168 of 2024

S.S.Jothimani

.. Petitioner

Vs.

- 1.The District Collector,
Office of the District Collectorate,
Madurai District, Madurai.
- 2.The District Revenue Officer,
Office of the District Revenue Officer,
Madurai.
- 3.The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Madurai.
- 4.The Tahsildar,
Office of the Tahsildar,
Madurai.

.. Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondents to issue patta in favour of the petitioner for lands in Survey No.42/6 and



W.P.(MD) No.23168 of 2024

Survey No.42/19 in Bodinayyakanpatti, Vadipatti Taluk, Madurai based upon the representation of the petitioner dated 12.08.2023.

For Petitioner : Mr.S.Ramsundarvijayraj

For Respondents : Mr.D.S.Nedunchezhiyan
Government Advocate

ORDER

A mandamus is sought by the petitioner to the respondents to consider his representation dated 12.08.2023 and issue patta to the petitioner in respect of the lands in S.Nos.42/6 and 42/19 in Bodinayyakanpatti, Vadipatti Taluk, Madurai on the basis of his representation dated 13.08.2024.

2. The petitioner would submit that his father Sunthakkonar was the original owner of the lands and was in enjoyment of the same for over six decades and the petitioner and his family also continued to live in the same place. In fact, these lands have been sold to the petitioner's father under a registered deed dated 13.10.1949 from which point in time, he has been in peaceful possession of the lands. The Revenue



W.P.(MD) No.23168 of 2024

WEB COPY

Divisional Officer, Madurai had passed an order in his proceedings dated 28.02.2001 that lands should not be kept vacant and houses should be constructed thereon for grant of patta. This order of the Revenue Divisional Officer was also upheld by the District Revenue Officer, Madurai in his proceedings dated 31.03.2004. The petitioner would submit that before the Village Administrative Officer, Bodinayakkanpatti one A.Karrupu and R.Singhu had deposed about the petitioner's possession and enjoyment of the land in S.Nos.42/6 and 42/19. The petitioner would submit that despite several requests, the patta has not been granted to date and hence, the writ petition.

3. Heard the learned counsel on either side.

4. The land in question originally belonged to the petitioner's father Sunthakkonar and later to the petitioner. The petitioner would submit that he has made his representation for grant of patta as early as on 12.08.2023 and the same is yet to be processed and patta granted. The respondents who are under an obligation mandatorily to process such



W.P.(MD) No.23168 of 2024

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request having failed to do so, this Writ Petition is allowed and a mandamus is issued directing the fourth respondent to consider the petitioner's representation dated 12.08.2023 and pass orders regarding grant of patta within a period of six weeks from the date of receipt of a copy of this order. No costs.

30.09.2024

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

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To

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P.T.ASHA, J.

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