



W.P(MD)No.26266 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 04.11.2024

CORAM

THE HONOURABLE MRS.JUSTICE N.MALA

W.P(MD)No.26266 of 2024

P.Manikumaran

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The District Revenue Officer,
Collectorate Campus,
Sivagangai District.

3.The Revenue Divisional Officer,
O/o. The Revenue Divisional Officer,
Devakottai, Sivagangai District.

4.The Tahsildar,
Karaikudi Taluk,
Sivagangai District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the fourth respondent to dispose of the Online application in Application No. 2024/0103/23/230845 dated 12.10.2024 submitted by the petitioner for grant patta to the petitioner's land in S.No.157/6, Uyyakondansiruvayal



W.P(MD)No.26266 of 2024

Village, Karaikudi Taluk, Sivagangai District to an extent of 88 cents within a the time frame stipulated by this Court.

For Petitioner : Mr.M.Mahaboob Fazil

For Respondents : Mr.Muthu Manikkam
Government Advocate

ORDER

This writ petition has been filed to direct the fourth respondent to dispose of the Online application in Application No. 2024/0103/23/230845 dated 12.10.2024 submitted by the petitioner for grant of patta to the petitioner's land in S.No.157/6, Uyyakondansiruvayal Village, Karaikudi Taluk, Sivagangai District to an extent of 88 cents.

2.According to the petitioner, the petitioner purchased the property from one Krishnan vide sale deed dated 27.05.2020. There was rival claim to the said property and therefore the suit for declaration and injunction came to be filed in O.S.No.27 of 2020. Since the petitioner's vendor approached the revenue officials and filed petition on 07.07.2020, the Revenue Divisional Officer issued summons on 03.09.2020, to the petitioner to appear for enquiry on 07.09.2020. The said notice was challenged by the petitioner's rival claimant in W.P(MD)No.11566 of



W.P(MD)No.26266 of 2024

2020. In the said Writ Petition the following order was passed:

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“6. Therefore, this Court is inclined to quash the impugned notice, dated 03.09.2020 and the same is quashed. After determining the title of the parties in the aforesaid suit, the parties will be entitled to take appropriate action. The parties are at liberty to raise all issues before the Civil Court. It is made clear this Court has not rendered any finding on the rights of the parties and this order is not an impediment to determine the issue pending in the suit.

7. With these observations and directions, this Writ petition is allowed. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed. ”

3.The petitioner states that the said suit was dismissed for default on 20.03.2024 and thereafter on 12.10.2024, the petitioner made an online application for grant of patta which is pending. The petitioner has therefore filed the above writ petition.

4.The learned counsel for the petitioner submits that till date no application has been filed by the rival claimant for restoration of the suit which was dismissed for default on 20.03.2024 and therefore there was no impediment for the respondents to grant patta to the petitioner for the



W.P(MD)No.26266 of 2024

lands in S.No.157/6, Uyyakondansiruvayal Village, Karaikudi Taluk,
Sivagangai District.

5.The learned Government Advocate on instructions submits that the petitioner had not produced the relevant documents and therefore patta could not be issued to the petitioner. He further submits that if all the relevant documents are produced by the petitioner appropriate order would be passed on merits.

6.Considering the fact that the petitioner's online application dated 12.10.2024 is still pending for want of necessary documents, the petitioner is directed to submit the relevant documents within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the respondents shall pass orders on merits and in accordance with law within a period of four weeks thereafter.

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

04.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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W.P(MD)No.26266 of 2024

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W.P(MD)No.26266 of 2024

N.MALA, J.

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W.P(MD)No.26266 of 2024

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