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W.P.No.3005 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 31.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.3005 of 2025

S.Thangaraj

...Petitioner

Vs.

- 1.The District Collector
District Collectorate
Kallakurichi Taluk & District.
- 2.The District Revenue Officer
District Collectorate
Kallakurichi Taluk & District.
- 3.The Revenue Divisional Officer
RDO Office
Kallakurichi District.
- 4.The Tahsildar
Taluk Office
Sankarapuram Town & Taluk
Kallakurichi - 606 401.



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5.The Zonal Deputy Tahsildar
Taluk Office
Sankarapuram Town & Taluk
Kallakurichi - 606 401.

6.The Head Surveyor
Taluk Office
Sankarapuram Town & Taluk
Kallakurichi - 606 401.

7.The Firka Surveyor
Sankarapuram Town & Taluk
Kallakurichi - 606 401.

8.The Revenue Inspector (Sankarapuram)
Office of the Revenue Inspector
Sankarapuram Town & Taluk
Kallakurichi - 606 401.

9.The Village Administrative Officer
Pootai Village Administrative Office
Pootai Village & Post
Sankarapuram Town & Taluk
Kallakurichi - 606 401.

...Respondents

Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the respondents 1 to 4 herein for issuance of patta in the name of the petitioner in respect of the land admeasuring an extent of 30 cents comprised in Survey No.590/6 situated in Pootai Village, Sankarapuram Taluk, Kallakurichi District, based on the



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petitioner's representation dated 27.11.2024 after taking into consideration of the long possession by the petitioner's family for more than 68 years and the services rendered by the petitioner as an Ex-servicemen within a time frame to be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

The above writ petition has been filed seeking a mandamus to the respondents 1 to 4 to consider the petitioner's representation dated 27.11.2024 to issue patta in the name of the petitioner .

2. The case of the petitioner is that an extent of 71 cents of land situated in Survey No.590/3, Pootai Village, Sankarapuram Taluk, Kallakurichi belonged to one Thotti. The said property was purchased by his father namely Subbian vide registered sale deed dated 18.01.1957 and revenue records were mutated in his name. The said Thotti also possessed 30 cents of land in Survey No.590/6 in the said village, and this property has been used as a pathway to reach the



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petitioner's father's land in Survey No.590/3. Thereafter, this property in Survey No.590/6 was sold to the petitioner's father by his vendor Thotti. This property in Survey No.590/6 was developed by his father by planting trees etc., and this is the only pathway to reach the petitioner's land.

3. The petitioner is stated to have served as a Military officer for 20 years. Be that as it may, on 02.11.2017, the petitioner's father executed a gift deed concerning this 71 cents of lands in Survey No.590/3. After the demise of the petitioner's father, the property was in enjoyment by the petitioner and the other legal heirs of deceased Subbian. Thereafter, the petitioner came to know through the revenue records that the entire extent of Survey No.560/6 has been classified as 'Kundru Poromboke'. It appears that taking advantage of the said classification, some third parties are attempting to grab the property by making application before the first respondent to issue house site patta for the said property in their favour. Thereafter, the petitioner made a representation to the respondents herein on 27.11.2024 to issue patta in



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his name, but the same was not considered to date. Hence, this petition.

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4. Heard the learned counsels on the either side and perused the records.

5. Considering the facts and circumstances of the case, a mandamus is issued to the respondents 1 to 4 to consider the representation of the petitioner dated 27.11.2024 and issue patta in favour of the petitioner. In case of a rejection, a speaking order shall be passed. The aforesaid exercise shall be completed within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is allowed. No costs.

31.01.2025

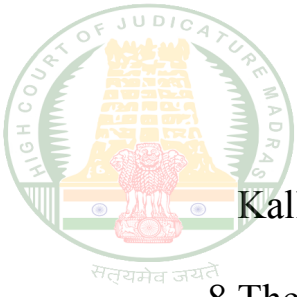
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