



W.P.No.5436 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 23.09.2025

CORAM
THE HON'BLE Mr. JUSTICE KRISHNAN RAMASAMY

W.P.No.5436 of 2024

S.P.Subramaniam

... Petitioner

Vs.

- 1.The District Collector,
Namakkal District.
- 2.The Tahsildar,
Namakkal Taluk,
Namakkal District.
- 3.The Block Development Officer,
Namakkal Union Office,
Namakkal Taluk & District.
- 4.The President,
Kathappalli Village Panchayat,
Kathappalli,
Namakkal District.
- 5.P.Ulaganathan

(R5 impleaded as fifth respondent vide order dated 23.09.2025 in
W.P.No.5436 of 2024 by KRJ)

... Respondents



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Prayer:

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Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 1 & 2 to issue patta in the name of the petitioner with respect to the property situated in Old Grama Natham Survey Number 4, New Survey Number 239/2 & 239/3 Sengappalli, Kathappalli Village, Namakkal District based on the sale deed in Doc.No.1774/2001 & Doc No.1808/2001 dated 07.02.2001 & 19.02.2001 to an extent of 6 cents pursuant to the representation made by the petitioner dated 20.01.2024.

For Petitioner : Mr.R.Ramachandran

For Respondents 1 to 4 : Mr.C.Jayaprakash,
Government Advocate

For Respondent 5 : Mr.K.M.Arun

ORDER

The relief sought for in this writ petition is to direct the respondents 1 & 2 to issue patta in the name of the petitioner with respect to the property situated in Old Grama Natham Survey Number 4, New Survey Number 239/2 & 239/3 Sengappalli, Kathappalli Village, Namakkal District based on the sale deed in Doc.No.1774/2001 & Doc No.1808/2001 dated 07.02.2001 & 19.02.2001 to an extent of 6 cents pursuant to the representation made by the petitioner dated 20.01.2024.



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2. Learned counsel for the petitioner submitted that the petitioner and his wife purchased a property comprised in S.F.No.239/2 and 239/3 from one Muthusamy Gounder and constructed a residential house. Thereafter, the petitioner made a representation before the respondents, seeking patta for the said property. However, the same was not considered. Hence the petitioner filed a writ petition before this Court in W.P.No.529 of 2024, seeking direction to the respondents for issuance of patta, however, the said writ petition was dismissed on the ground that the petitioner has not made any application for issuance of patta. Since the petitioner's land is a Grama Natham land, there is no online application, therefore, the second respondent directed the petitioner to make representation along with necessary documents. Accordingly, the petitioner made a representation dated 20.01.2024, but, till date, no order was passed. Hence, the petitioner has come forward with the present writ petition.

3. Learned Government Advocate appearing for the respondents 1 to 4 would submit that based on the representation made by the fifth respondent, the Tahsildar/second respondent vide letter dated 20.11.2023

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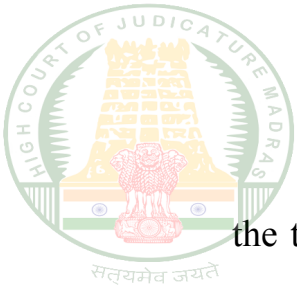
directed the third respondent to take steps to remove the encroachment made by the petitioner in S.No.239/3, which is Gramanatham Pathway.

Pursuant to the said direction, the fourth respondent has issued a letter dated 28.11.2023 to the petitioner for removing the said encroachment.

4. In reply to aforesaid submission, learned counsel for the petitioner submitted that this Court may direct the respondents to consider the petitioner's representation for issuance of patta in regard to S.No.239/2 alone.

5. Heard the learned counsel on either side and perused the materials available on record.

6. In the present case, the petitioner has sent a representation to the respondents for issuance of patta in regard to S.Nos.239/2 & 239/3. Pursuant thereto, a representation was made by the fifth respondent, seeking appropriate action against the petitioner for encroaching S.No.239/3, which is a Gramanatham Pathway. Based on the said representation, the second respondent initiated proceeding by directing



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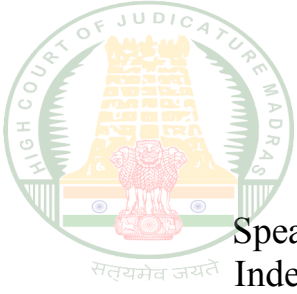
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the third respondent to take steps to remove the encroachment made by the petitioner in regard to S.No.293/3. Accordingly, a letter was also sent by the fourth respondent to the petitioner for removing the encroachment in regard to the aforesaid S.No.293/3. Therefore, the question of issuing patta to the aforesaid S.No.239/3 does not arise.

7. However, I do not find any impediments for the authorities concerned in considering the petitioner's representation for issuance of patta in regard to S.No.239/2. Therefore, this Court directs the respondents to consider and dispose of the petitioner's representation in regard to S.No.239/2 on merits and in accordance with law, after conducting the enquiry by issuing due notice and opportunity of personal hearing to the petitioner as well as fifth respondent and aggrieved persons, if any within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, this writ petition is disposed of. No costs.

23.09.2025



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Speaking/Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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Note: Registry is directed to carry out the necessary amendment in the cause title.

To

- 1.The District Collector,
Namakkal District.
- 2.The Tahsildar,
Namakkal Taluk,
Namakkal District.
- 3.The Block Development Officer,
Namakkal Union Office,
Namakkal Taluk & District.
- 4.The President,
Kathappalli Village Panchayat,
Kathappalli,
Namakkal District.

KRISHNAN RAMASAMY.J.,

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