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W.P.No.2244 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. 2244 of 2025

&

W.M.P.No. 2584 of 2025

C.Maniyan

...Petitioner

Vs.

1.The District Collector
Kallakurichi district,
Kallakurichi 606202.

2.The Revenue Divisional Officer
Kallakurichi division,
Kallakurichi 606202.

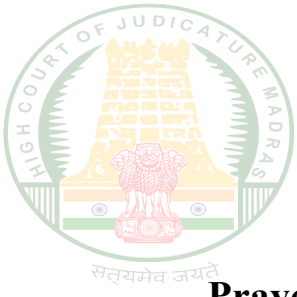
3.The Tahsildar
Sankarapuram taluk,
Sankarapuram 625530,
Kallakurichi district.

4.K.Panchalai

5.K.Deiveegan

6.K.Sankar

...Respondents



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Prayer: Writ Petition is filed under Article 226 to issue a Writ of Mandamus directing the 3rd respondent herein to consider his claim of patta for the portion of his land in Old Survey No.12/1, new survey no.12/7, measuring an extent of 1499 sq.fts,situated at Thimmandal village, Sankarapuram taluk, Kallakurichi district as per his representation dated 16.11.2024 by cancelling the patta no.55 given to the husband of 4th respondent and father of 5th and 6th respondents dated 04.03.2024 for old survey no. 12/1 new survey no.12/7 and as per patta 55, new survey no. 12/20 measuring to an extent of 0.0.75 ares (999 sq.fts) situated at Thimmandal village Sankarapuram taluk, Kallakurichi district.

For Petitioner : Mr. J.Selvarajan

For Respondents : Mr. A.Selvendran
1 to 3 Special Government Pleader.



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ORDER

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The Writ Petition is filed for the following relief:

“To direct the 3rd respondent herein to consider his claim of patta for the portion of his land in Old Survey No.12/1, new survey no.12/7, measuring an extent of 1499 sq.fts,situated at Thimmandal village, Sankarapuram taluk, Kallakurichi district as per his representation dated 16.11.2024 by cancelling the patta no.55 given to the husband of 4th respondent and father of 5th and 6th respondents dated 04.03.2024 for old survey no. 12/1 new survey no.12/7 and as per patta 55, new survey no. 12/20 measuring to an extent of 0.0.75 ares (999 sq.fts) situated at Thimmandal village Sankarapuram taluk, Kallakurichi district”.

2. The land in question belonged to the petitioner's father and



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they are in possession of the same for more than 5 decades. In the year 2001, the husband of the 4th respondent interfered with their peaceful possession constraining the petitioner's father to institute a civil suit. The said suit decreed in favour of the petitioner's father. Against the said decree no appeal was filed and the decree become finality.

3. Thereafter, on 04.03.2024, the 3rd respondent granted patta to the petitioner in respect of one portion, for the remaining portion the 3rd respondent erroneously granted patta in favour of the 4th respondent's husband, against whom the petitioner's father got a decree in his favour. Therefore, on 16.11.2024, the petitioner made a representation to the 3rd respondent for a grant of patta for the entire land. Since there is no response, the petitioner is before this Court.

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

5. Considering the facts and circumstances of the case, the Writ



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Petition is allowed. The 3rd respondent is directed to consider the representation dated 16.11.2024 and issue patta in favour of the petitioner. In case of rejection, a speaking order shall be passed. The said exercise shall be completed within a period of 3 months from the date of receipt of a copy of this order. Consequently, the connected miscellaneous petition is closed. No costs.

31.01.2025

Index : Yes/No
Internet : Yes/No

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To

5/7



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