



W.P.(MD)No.1995 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.01.2025

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THE HONOURABLE MRS.JUSTICE N.MALA

W.P.(MD)No.1995 of 2025

Madasamy

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruchendur,
Thoothukudi District

2. The Tahsildar,
Tahsildar Office,
Eral Taluk,
Thoothukudi District

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents to issue separate patta to the petitioner bearing in Survey No. 317/3B to an extent of 0.09.5 hectares Punja Land, and S.No. 317/5B2 to an extent of 0.05.5 hectares and S.No. 3176 to an extent of 0.09.0 hectares and S.No. 318/1C2 to an extent of 0.15.0 hectares totaling to an extent of 0.56.0 hectares land and the property is situated at Mela Vellamadam, Vellamadam Village, Eral Taluk, Thoothukudi District purchased by the petitioner in Document No. 337/13 and to consider the petitioner's representation dated 28.08.2024 within a time stipulated by this Court.

For Petitioner : Mr.S.Mandhira Lingeswaran
For Respondents : Mr.M.Muthumanikkam
Government Advocate



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ORDER

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The writ petition is filed for a Writ of Mandamus directing the respondents to issue separate patta to the petitioner in Survey No. 317/3B to an extent of 0.09.5 hectares Punja Land, and S.No. 317/5B2 to an extent of 0.05.5 hectares and S.No. 3176 to an extent of 0.09.0 hectares and S.No. 318/1C2 to an extent of 0.15.0 hectares totaling to an extent of 0.56.0 hectares land and the property is situated at Mela Vellamadam, Vellamadam Village, Eral Taluk, Thoothukudi District purchased by the petitioner in Document No. 337/13 on the basis of the petitioner's representation dated 28.08.2024 within a time to be fixed by this Court.

2. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The petitioner purchased the subject property in Doc.No.337/2013. Ever since the purchase, the petitioner was in possession and enjoyment of the same. Patta was not transferred in the name of the petitioner, due to which, the petitioner was unable to get plan approval for construction of the building. The petitioner therefore sent a representation to the respondents on 28.08.2024, for issuance of patta in his name. In spite of the petitioner's representation for grant



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of patta, the second respondent did not initiate any action. The petitioner therefore filed the above writ petition for the aforesaid relief.

4. It is seen that though the petitioner's representation dated 28.08.2024 was taken on file, even after lapse of five months, the second respondent has not initiated any action on the petitioner's representation. Therefore, I am inclined to issue a direction. Accordingly, the second respondent is directed to consider the petitioner's representation dated 28.08.2024 and pass orders on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. It is needless to state that the second respondent shall follow the procedure contemplated under the Patta Passbook Act, by affording opportunity of hearing to the interested parties.

5. With the aforesaid direction, the Writ Petition stands disposed of. No costs.

24.01.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
CM



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To:
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1. The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruchendur,
Thoothukudi District.
2. The Tahsildar,
Tahsildar Office,
Eral Taluk,
Thoothukudi District

N.MALA, J.



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