



W.P.(MD) No.3822 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:13.02.2025

CORAM:

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD) No.3822 of 2025

and

W.M.P(MD)No.2750 of 2025

J.Sudha

... Petitioner

vs.

1.The District Collector,
Collectorate Campus,
Nagercoil, Kanyakumari District.

2.The Revenue Divisional Officer,
Padmanabapuram,
Kanyakumari District.

3.The Tahsildar,
Killiyoor Town Panchayat,
Nagercoil, Kanyakumari District.

4.The Commissioner,
Killiyoor Panchayat Union,
Tholaiyavattam Post,
Kanyakumari District.

5.Killiyoor Town Panchayat,
Rep. by the Executive Officer,
Tholaiyavattam Post,
Kanyakumari District.

... Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the respondents 2 and 3 to issue patta for 16 cents in R.S.No.198/3, Killiyoor Village, Killiyoor Taluk, Kanyakumari District as per the judgment passed in S.A(MD)No.90 of 2016 dated 01.07.2019 on the file of this Court.

For Petitioner : Mr.M.S.Sureshkumar

For Respondents : Mrs.K.Malathi
Additional Government Pleader for R1 to R3

Mr.S.Shanmugavel
Additional Government Pleader for R4 & R5

ORDER

The petitioner has filed the present writ petition seeking issuance of a Writ of Mandamus to direct the respondents to issue patta based on the Judgment of this Court in S.A(MD)No.90 of 2016, dated 01.07.2019.

2.Considering the limited scope of the relief sought for in the writ petition, with the consent of the learned counsel on either side, the writ petition itself is taken up for final disposal.



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3.The learned counsel for the petitioner submits that in respect of the subject lands, there was a dispute which ended in litigation and after a battle up to this Court in S.A(MD)No.90 of 2016, the petitioner has succeeded and his entitlement to the subject lands has now been cleared. Despite the same, the respondents are not issuing patta. The petitioner has made a representation on 05.12.2024 to the third respondent, but no action has been taken by the third respondent for issuance of patta.

4.Hence, in view of the litigation attaining finality before this Court in S.A(MD)No.90 of 2016 as early as on 01.07.2019, there can be no legal impediment for the revenue authorities to issue patta to the petitioner, however, subject to the requirement of the petitioner to make any application or pay necessary fees. The respondents 2 and 3, therefore, shall look into the representation of the petitioner and pass orders on the same and consider the request of the petitioner to issue patta in her name in terms of the Judgment passed in S.A(MD)No.90 of 2016, dated 01.07.2019. The said exercise shall be completed within a period of eight weeks from the date of receipt of a copy of this order.



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Consequently, connected miscellaneous petition is closed.

13.02.2025

sjl

NCC: Yes/No

Index : Yes / No

Internet : Yes / No

To

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P.B.BALAJI, J.

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