



W.P.(MD)No.4239 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **05.03.2025**

CORAM:

THE HONOURABLE MR JUSTICE P.B. BALAJI

W.P.(MD)No.4239 of 2025

Sivanantham

... Petitioner

Vs.

1.The District Collector,
Ramanathapuram.

2. The Revenue Divisional Officer,
Ramanathapuram,
Ramanathapuram District.

3. The Thasildhar,
Thiruvadanai Taluka,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider petitioner's representation dated 27/01/2025 to issue a patta to petitioner's house situated at Survey No.23/1 in Keelarumpur Revenue Village, Thiruvadanai Taluka, Ramanathapuram District.

For Petitioner : Mr.B.Mahendrarajan

For Respondents : Mrs.K.Malathi
Additional Government Pleader



W.P.(MD)No.4239 of 2025

WEB COPY

ORDER

The petitioner has filed this Petition seeking a writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 27/01/2025 to issue a patta to petitioner's house situated at Survey No. 23/1, in Keelarumpur Revenue Village, Thiruvadanai Taluk, Ramanathapuram District.

2. I have heard Mr.B.Mahendrarajan, the learned counsel appearing for the petitioner, Mrs.K.Malathi, learned Additional Government Pleader appearing for the respondents.

3. Mr.B.Mahendrarajan, the learned counsel for the petitioner would submit the petitioner's application for issuance of patta is kept pending without any progress and hence, he seeks for suitable orders being passed.

4. Per contra, Mrs.K.Malathi, learned Additional Government Pleader, would submit that the survey number in respect of which the



W.P.(MD)No.4239 of 2025

WEB COPY

petitioner seeks patta is classified as “Mahalingam Oorani” and therefore, the same being water body, the petitioner cannot claim patta in respect of said water body and if at all the petitioner would have only encroached into the water body.

5. The learned counsel for the petitioner would invite my attention to the revenue records and the FMB sketch, establish that the “Mahalingam Oorani” is situated, far away from the petitioner's property and there is absolutely no question of encroachment by the petitioner into the said Mahalingam Oorani. He would further submit that even the panchayat office is housed in the very same survey number, where the petitioner is residing and that other private parties have already been issued patta in respect of survey numbers which have been carved out of survey No. 23/16 which again springs out of the main survey number 23/1.

6. In such view of the matter, it is always open to the official respondents to carry out a physical inspection and also taking into account the other documents, and after giving an opportunity to the



W.P.(MD)No.4239 of 2025

WEB COPY

petitioner to produce other relevant documents to establish his contentions that the property in respect of which patta is sought for only a Natham land and not a water body. The said enquiry shall be conducted and final orders shall be passed by the third respondent within a period of eight weeks from the date of receipt of a copy of this order.

7. This Writ Petition is disposed of. There shall be no order as to costs.

Index : Yes / No
NCC : Yes / No
LS

05.03.2025

To

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W.P.(MD)No.4239 of 2025

P.B. BALAJI, J.

LS

Order made in
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