



W.P.(MD)No.8017 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.03.2025

CORAM

THE HON'BLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.8017 of 2025

S.Stephen

: Petitioner

Vs.

1.The District Collector,
The Collectorate Campus,
Nagercoil – 629 001.
Kanyakumari District.

2.The Tahsildar,
Killiyoor Taluk,
Tholayaavattam Post,
Kanyakumari District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Mandamus, directing the second respondent Tahsildar to consider and pass orders forthwith on the representations submitted by the petitioner dated 23.04.2019 and 13.02.2025, seeking for the issuance of patta with respect to his land comprising at Survey No.607/15 (Old Survey No.3197), Midalam Village, Killiyoor Block, Kanyakumari District admeasuring to an



extent of 1.750 cents within a time as may be stipulated by this Court.

For Petitioner : Mr.T.Cibi Chakraborty
For Respondents : Mr.C.Satheesh,
Government Advocate

ORDER

The petitioner has filed the present Writ Petition, seeking disposal of his application for patta.

2.Heard the learned Counsel for the petitioner and Mr.C.Satheesh, learned Government Advocate appearing for the respondents.

3.Learned Counsel for the petitioner submits that the petitioner's father had purchased the subject lands in 1983. However, patta was not issued in his favour. The petitioner has made an application on 23.04.2019 and again on 13.02.2025, seeking issuance of patta based on the purchase made by the father and continued occupation of the petitioner and other legal heirs.

4.Learned Government Advocate would however submit that the lands in respect of which patta is claimed have been encroached



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by the petitioner's family and therefore, their application for patta may not be favourably considered.

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5.Be that as it may, when the petitioner's application has been pending right from April, 2019, it would have been appropriate for the authorities to conduct an enquiry and after enquiry, it is open to the respondents to either reject or grant patta. However, only today, it is brought to the notice of the Court as well as the petitioner that the petitioner is not entitled to patta. Such a course of action is not proper. Therefore, the respondent shall pass a considered order within a period of four [4] weeks from the date of receipt of a copy of this order. If aggrieved, it is open to the petitioner to challenge the same.

6.Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs.

24.03.2025

Index :Yes / No

Internet : Yes / No

NCC : Yes/No

MR



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P.B.BALAJI., J.

MR

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