

W.P.(MD)No.7920 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.04.2025

CORAM

THE HONOURABLE MR.JUSTICE P.B.BALAJI

W.P.(MD)No.7920 of 2025

Karuppaiah

... Petitioner

Vs.

1.The Commissioner,
Commissionerate of Land Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.

2.The District Collector,
Office of the District Collector,
Virudhunagar District.

3.The District Revenue Officer,
Office of the District Revenue Officer,
Virudhunagar District.

4.The Revenue Divisional Officer,
Revenue Divisional Office,
Sivakasi,
Virudhunagar District.

5.The Tahsildar,
Rajapalayam Taluk,
Virudhunagar District.

6.Gunasekaran

... Respondents

(R6 is impleaded vide Court order, dated 30.04.2025 in W.M.P(MD)No.9078 of 2025)



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent no.4 to issue patta in favour of Kallamayan Vagaira related to the property in Survey No.429/38, Sundararajapuram Village, Rajapalayam Taluk, Virudhunagar District on the basis of the circular issued by the respondent no.1 in No.R1/7699421/2024 dated 27.08.2024 by considering the petitioners representation dated 14.10.2024 and 08.03.2025 in accordance with law within the time stipulated by this Court.

For Petitioner : Mr.R.Alagumani

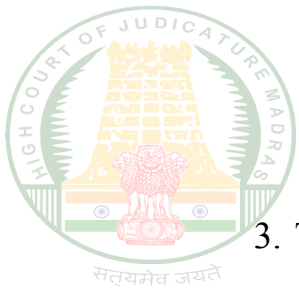
For R1 – R5 : Mr.B.Saravanan
Additional Government Pleader

For R6 : Mr.R.Karunanidhi

ORDER

Heard the learned counsel for the parties.

2. The petitioner seeks issuance of writ of mandamus to direct the 4th respondent to issue patta based on the circular, dated 27.08.2024 issued by the 1st respondent. Seeking patta, the petitioner has made a representation on 14.10.2024 and 08.03.2025. The request for patta is purely based on the circular, dated 27.08.2024.

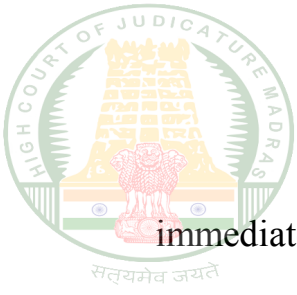


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3. The learned Special Government Pleader submits that the petitioner's application would be processed and orders passed, considering the guidelines and the circular, including the entitlement of the petitioner, on merits and in accordance with law.

4. The learned counsel for the 6th respondent would submit that the petitioner is not entitled to even consideration of the application for patta even under circular, dated 27.08.2024 since the petitioner has put up a commercial building.

5. Recording the submission of the learned counsel on either side, this writ petition is disposed of, directing the 4th respondent to conduct necessary enquiry, give an opportunity to the petitioner as well as the 6th respondent, hear the objections of the 6th respondent and take a final decision with regard to the entitlement to the petitioner for patta in terms of the guidelines issued by the 1st respondent vide circular, dated 27.08.2024, on merits and in accordance with law. If the petitioner is found to be entitled to patta, then necessary patta shall be issued to the petitioner within a period of eight (8) weeks from the date of receipt of copy of this order. However, if the petitioner is found not to be entitled to patta, then as already directed by the Hon'ble Division Bench,



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immediate action shall be taken against the petitioner as the petitioner would only be an encroached.

6. In view of the above, this writ petition stands disposed of. No costs.

30.04.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
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To:

- 1.The Commissioner,
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Chepauk,
Chennai-600 005.
- 2.The District Collector,
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5.The Tahsildar,
Rajapalayam Taluk,
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P.B.BALAJI, J.

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