



W.P(MD)NO.16641 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 20.06.2025

CORAM:

THE HON'BLE MR JUSTICE S.SOUNTHAR

W.P(MD)No.16641 of 2025

B.Chinnan

... Petitioner

.Vs.

1.The State of Tamil Nadu,
represented by the District Collector,
Dindigul District,
Collector Office Complex,
Dindigul.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Dindigul.

3.The Tahsildar,
Natham Taluk,
Taluk Office,
Natham, Dindigul District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to consider the Petitioner's representation, dated 13.3.2025 and direct the respondents to grant patta in favour of the Petitioner in respect of the land bearing S.Nos.1027/1 and 1028.



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For Petitioner : Ms.N.Juliet Latha

For Respondents : Mr.A.Baskaran
1 to 3 Addl.Govt.Pleader

ORDER

The Petitioner herein seeks a direction to the respondents to consider the Petitioner's representation, dated 13.5.2025 seeking patta in respect of the property situated in S.Nos.1027/1 and 1028 of Nadumangalam Village, Dindigul District.

2.Mr.A.Baskaran, learned Additional Government Pleader takes notice for the respondents 1 to 3. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.According to the Petitioner, he has been in possession and enjoyment of the subject property for the past 25 years. It is also stated that the Petitioner purchased the subject property from one Sheik Mohideen through an unregistered sale deed, dated 17.2.2015. It is also stated that the tax for the subject property has been paid by the Petitioner earlier in the name of Sheik Mohideen and after purchase, it has been paid in the name of the Petitioner. By virtue of long possession, the Petitioner seeks issuance of patta



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in his name. Therefore the Petitioner submitted a representation on 13.3.2025 to the respondents. The same has not been considered till date. Hence the Petitioner has come before this Court with the present Writ Petition for the relief stated supra.

4.Mr.A.Baskaran learned Additional Government Pleader, who takes notice for the respondents 1 to 3 would submit that the the petitioner is an encroacher of the subject property and steps are being taken to remove the encroachment under the provisions of the Tamil Nadu Land Encroachment Act. It is also stated that merely because the Petitioner paid penalty, he cannot claim right over the subject property.

5.Even in the representation submitted by the Petitioner, it is stated that the Petitioner has purchased the subject property from one Sheik Mohideen through an unregistered document. The purchase under an unregistered document will not convey any right to the petitioner. It appears that the subject property is classified as "unassessed Tharisu" and on ground it is found to be a Rock. It is also submitted by the learned Additional Government pleader that the subject property is very near to the Forest area and therefore, the request of the Petitioner for assignment of patta cannot be considered.



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WEB COPY 6. In view of the stand taken by the learned Additional Government Pleader appearing for the respondents 1 to 3, without expressing any opinion on the merits of the claim made by either party, this Court is inclined to direct the third respondent to consider the representation of the Petitioner, dated 13.3.2025 and pass orders on its own merits after issuing notice to the Petitioner and Sheik Mohideen from whom the Petitioner alleged to have purchased the subject property, within a period of 12 weeks from the date of a copy of this order.

7. With the above direction, the Writ Petition stands disposed of. No costs.

20.06.2025

NCS : Yes/No
Index : Yes / No
Internet : Yes / No

vsn

To

1. The District Collector,
Dindigul District,
Collector Office Complex,
Dindigul.

2. The Revenue Divisional Officer,

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Revenue Divisional Office,
Dindigul.

3.The Tahsildar,
Natham Taluk,
Taluk Office,
Natham, Dindigul District.

S.SOUNTHAR.,J.

vsn

ORDER MADE IN

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