

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23-03-2015

CORAM

THE HONOURABLE MR.JUSTICE M.VENUGOPAL

WRIT PETITION No.9091 of 2014

C.Sekar

.. Petitioner

vs

1.The District Collector
Salem, Salem District.

2.The Revenue Divisional Officer
Mettur

Mettur Dam 636 401

Salem District

3.The Tahsildar

Mettur, Mettur Taluk

Salem District

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the third respondent to consider the petitioner's application dated 4.3.2014 seeking to include the petitioner's name in patta and revenue records in respect of land in Survey No.258/3 of an extent of 2.07 acres at Aranganoor Village, Mechari Taluk.

For Petitioner : No appearance

For Respondents : Mr.D.Suriya Narayanan
Government Advocate

ORDER

According to the petitioner, his father purchased a property on 12.3.1984, through a sale deed bearing No.304/1984 before the Sub-Registrar Office at Mechari. The said property in Survey No.258/3 measures an extent of 0.86.0 hectares situated at Aranganoor Village, for which a patta No.500 was assigned by the Revenue Department. Ever since the date of purchase of the said property, the entire records were standing in the name of his father and the said property was enjoyed by him and his sisters along with their father as a joint family property. That apart, he and two sisters are the legal heirs to their father. In order to make a partition of the said property, the petitioner and his two sisters executed a partition deed on 29.1.2014, which was registered as document No.240/2014 on the file of the Sub Registrar Office, Mechary. As per the said partition, the entire "B" Schedule property in Survey No.258/3 measuring an extent of 2.07 acres was allotted to him as his share. In the said partition deed, his father and sisters were parties and they accepted the share allotted for them by subscribing their signatures.

2. When that being the fact situation, the petitioner preferred an application on 4.3.2014, before the second and third respondents praying to include his name in the patta and all revenue records. However, the respondents 2 and 3 till date, have not taken any steps to include his name in the relevant revenue records. Since the respondents 2 and 3 have not taken any action on the subject matter in issue, he has filed the present writ petition.

3. In view of the fact that the petitioner seeks a relief in the present writ petition for passing of an order by this Court in directing the third respondent to consider his application dated 4.3.2014, praying to include his name in the patta and other revenue records in respect of the land in Survey No.258/3 measuring an extent of 2.07 acres at Aranganoor Village, Mechari Taluk, this Court, at this stage, in the interest of justice and fair play, directs the third respondent to look into the petitioner's application/petition dated 4.3.2014, with all seriousness/earnestness and to dispose of the same by passing a reasoned speaking order on merits in a fair, just and dispassionate manner (of-course, after providing necessary opportunity to the petitioner and others concerned by following the principles of natural justice) within a period of four weeks from the date of receipt of a copy of this order.

4. With the above observations and directions, the writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

nsv

To:

1. The District Collector
Salem, Salem District.

2. The Revenue Divisional Officer
Mettur
Mettur Dam 636 401
Salem District

3. The Tahsildar
Mettur, Mettur Taluk
Salem District.

1 cc to Government Pleader, Sr.No16349/2015

W.P.No.9091 of 2014