IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.19740 of 2015

Pappathy ... Petitioner

- Vs -

1. The Revenue Divisional Officer,
   Tharapuram, Thiruppur District.

2. The Tahsildar,
   Kangeyam Taluk,
   Thiruppur District.

3. The Revenue Inspector,
   Nathakadaiyur, Kangeyam Taluk,
   Thiruppur District.

4. The Village Administrative Officer,
   Nathakadaiyur, Kangeyam Taluk,
   Thiruppur District. ...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondents 1 and 2 to consider the representation of the petitioner dated 10.09.2014 with regard to issuance of regular patta in favour of the petitioner in respect of the lands comprised in Old S.No.7A1, R.S.No.374/1 measuring to an extent of 7837 square feet situated at Nathakadaiyur Village, Kangeyam Taluk, Thiruppur District and pass orders thereon within a time frame to be fixed by this court.

Petitioner : Mr.R.Chandrasekaran

For Respondents : Ms.P.Rajalakshmi, GA for R1 to R4

ORDER

By consent, the writ petition is taken up for final disposal.

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2. The petitioner claims that she is the absolute owner of the property comprised in old S.No.7A1, R.S.No.374/1 at Nathakadaiyur Village, Kangeyam Taluk, Thiruppur District measuring to an extent of 5437 square feet. She had purchased the above said landed property by way of a registered sale deed dated 10.12.1997 and ever since the date of purchase, she has been in absolute possession and enjoyment of the same free from all encumbrance and that her husband had also purchased a landed property comprised in old S.No.7A1, R.S.No.374/1 measuring to an extent of 2400 square feet by way of a registered sale deed dated 20.08.1979 and was in possession and enjoyment of the same. According to the petitioner, after the demise of her husband, she continues to be in possession and enjoyment of the land belonged to her husband along with her sons.

3. The petitioner would further state that she had also raised loan from the Kangeyam Taluk Co-operative Housing Society Limited for Rs.2,00,000/- and subsequently, the said loan was discharged. While so, after getting legal heir ship certificate, she applied for patta to the 2nd respondent in respect of 7837 square feet of land situated in S.No.7A1, R.S.No.374/1 at Nathakadaiyur Village,Kangeyam Taluk, Thiruppur District. Since she has not been favoured with any response so far, she came forward with this writ petition.

4. This court heard the submissions of Mr.R.Chandrasekaran, the learned counsel appearing for the petitioner and Ms.P.Rajalakshmi, the learned Government Advocate, who accepts notice for the respondents 1 to 4 and also perused the records carefully.

5. This court, taking into consideration of the limited scope of the prayer sought for and without going into merits of the claim made by the petitioner, directs the 2nd respondent to consider the representation of the petitioner dated 10.09.2014 on merits and in accordance with law after putting on notice the persons concerned and pass appropriate orders thereon within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kmk

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To

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Thiruppur District.

4.The Village Administrative Officer,
Nathakadaiyur,Kangeyam Taluk,
Thiruppur District.

1 CC to Mr.R.Chandrasekaran, Advocate SR.No. 33775

1 CC to the Government Pleader, SR.No. 33981

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RSI (CO)
PSI (15.07.2015)

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