

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

WP.No.8413 of 2015

1. G.Palani
2. N.Muthukumar
3. N.Bakiyaraj

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Petitioners

Versus

The Tahsildar
Tiruvannamalai Taluk Office
Tiruvannamalai District.

..

Respondent

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus to direct the respondents to pass an orders on the petitioners' representation dated 29.12.2014 seeking for issuance of separate patta with respect to 22 cents in Survey No.6/3A situates at Panaiyur Village, Tiruvannamalai Taluk and District in accordance with law.

For Petitioners: Mr.P.Vasanth

For Respondent : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

Heard Mr.P.Vasanth, learned counsel appearing for the petitioners and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader accepting notice for the respondent and with their consent, the writ petition itself is disposed of at the admission stage itself.

2.The petitioners have filed this writ petition seeking for a direction to the respondent to consider his representation to issue separate patta in the names of the petitioners instead of a joint patta already granted by the respondent in Patta No.582.

3. The petitioners places reliance on the decision rendered by the District Munsif Court, Tiruvannamalai dated 31.07.1988 in O.S.No.1370 of 1994. It is stated that after the decision of the Civil Court, now a joint patta was granted in Patta No.582 by the

respondent, in the names of the petitioners and others. Now, the petitioners, who are 3 in number, request for separate patta in their names. In this regard, a representation was given on 29.12.2014 enclosing a copy of the Judgment of the civil court, sketch and the joint patta. The representation is now pending with the authority concerned and requisite fee has also been remitted by the petitioner on 29.12.2014.

4. Though the petitioners have filed this Writ Petition seeking for a direction to dispose of the writ petition, the other joint pattadars have not been impleaded in this writ petition. Therefore, without hearing them, no positive direction can be issued. However, taking note of the fact that the representation is pending before the respondent, there will be a direction to the respondent to consider the petitioners representation dated 29.12.2014 on merits and in accordance with law, after issuing notice to the petitioners and to other joint pattadars in Patta No.582 and after conducting an enquiry and after hearing the parties in person, pass a reasoned order on merits and in accordance with law as expeditiously as possible.

5. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP/srn

To
The Tahsildar
Tiruvannamalai Taluk Office
Tiruvannamalai District.

1 cc to Mr. P.Vasanth, Advocate, SR.No.16584
1 cc to Government Pleader, Sr.No17009

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pmk.11.4.2015