



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :21.09.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD).No.16983 of 2015

Subburaj

...Petitioner

Vs.

The Tahsildar,  
Aruppukottai, Aruppukottai Taluk,  
Virudhunagar District.

...Respondent

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondent to include the petitioner's name in the joint patta No.392 by considering his representation, dated 19.08.2015 for his properties in Survey No.57/2, 57/3, 64/5, 64/7, 71/3, 71/4 situated at Thiruchuli Sub-Division, Kallumadam Utkadai, Kathalampatti Village, Virudhunagar District.

For petitioner : Mr.C.Suresh Kannan

For Respondent : Mr.M.Murugan,

Government Advocate takes notice

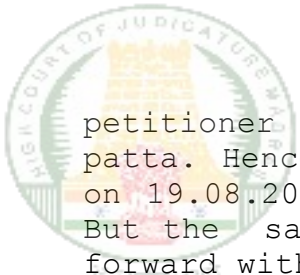
## ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondent to include the petitioner's name in the joint patta No.392 by considering his representation, dated 19.08.2015 in respect of his properties in Survey Nos.57/2, 57/3, 64/5, 64/7, 71/3, 71/4 situated at Thiruchuli Sub-Division, Kallumadam Utkadai, Kathalampatti Village, Virudhunagar District.

2. Mr.M.Murugan, learned Government Advocate takes notice for the respondent.

3. By consent, the Writ Petition itself is taken up for final disposal.

4. The case of the petitioner is that in the year 2003, the properties, which belonged to the petitioner's parents, were partitioned between the petitioner and his brothers which was given to them by way of a gift deed executed by the petitioner's parents and the same was also registered before the Sub-Registrar office, Thiruchuli in Document No.153/2003. In the said partition, the properties in Survey Nos.57/2, 57/3, 64/5, 64/7, 71/3, 71/4 situated at Thiruchuli Sub-Division, Kallumadam Utkadai, Kathalampatti Village, Virudhunagar District, had been allotted to the petitioner and from the said date onwards, the petitioner is in possession and enjoyment of the same. Thereafter, the petitioner applied for copy of the patta in respect of the above said properties before the respondent and on perusal of the same the



petitioner came to know that his name was not included in the joint patta. Hence, the petitioner made a representation before the respondent on 19.08.2015 requesting to include his name in the joint patta No.392. But the same was not considered so far. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

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5. Considering the submissions made by the learned counsel for the petitioner, without going into the merits of the averments made in the Writ Petition, the respondent is directed to consider the representation of the petitioner, dated 19.08.2015, and pass appropriate orders with regard to inclusion of the name of the petitioner in the joint patta No.392, by affording an opportunity of hearing to all the necessary parties including the brothers of the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of.  
No Costs.  
Sd/-

Assistant Registrar -AE

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Sub Assistant Registrar

pm

To  
The Tahsildar,  
Aruppukottai,  
Aruppukottai Taluk,  
Virudhunagar District.

+1 cc to MR.C.SURESH KANNAN, ADVOCATE, SR NO: 55894  
+1 CC to M/S.SPL.GOV.T.PLEADER, SR NO: 55786

W.P(MD).No.16983 of 2015  
21.09.2015

JAM/SKS-RR/05.10.2015/2P-4C