



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :26.10.2015

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WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD) .No.19168 of 2015

R.Palaniammal

... Petitioner

Vs.

1. The District Collector,
Dindigul District.

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

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

... Respondents

This Writ Petition has been filed under Article 226 of Constitution of India praying for a Writ of Mandamus, directing the respondents to consider the representation, dated 09.04.2015 of the petitioner and issue a patta in favour of the petitioner within a stipulated time fixed by this Court.

For petitioner : Mr.A.Thiyagarajan

For Respondents : Mr.M.Murugan
Government Advocate

ORDER

The Writ Petition has been filed praying for a Writ of Mandamus, directing the respondents to consider the representation of the petitioner, dated 09.04.2015 and issue a patta in favour of the petitioner within a stipulated time.

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

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

4. In the affidavit filed in support of the Writ Petition, it has been averred that the property in Agraharam Street, 6th Ward, Dindigul District comprising house site Survey No.137/A3A belongs to the legal heirs of one Sundaram Iyer. The said properties were house site properties purchased by the



petitioner's husband on 16.06.1997. From the date of purchase the petitioner's family members are in possession and enjoyment of the same. The petitioner's husband is also duly paying the electricity charges, taxes and other charges to the authorities concerned. While so, he left home during 2001 and he had not returned home for more than 7 years. Hence, the petitioner filed a civil suit and obtained a decree to that effect of her husband civil death and based on the judgment, the concerned Tahsildar has also issued legal heir certificate in favour of the petitioner. Now the petitioner is in possession and enjoyment of the said property. The petitioner has made a representation on 09.04.2015 to the respondents for issuance of individual patta. Since the same was not considered till date, the petitioner has come forward with this Writ petition for the above stated relief.

5. Considering the facts and circumstances of the case, without going into the merits of the case, this Court directs the third respondents to consider the petitioner's representation dated 09.04.2015 with regard to issuance of patta and pass appropriate orders on the same on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order by affording an opportunity of hearing to all the necessary parties. It is made clear that this Court is not expressing any opinion on the merits of the claim made by the petitioner.

6. With the above direction, the Writ Petition is disposed of. No Costs.

Sd/-
Assistant Registrar (C.S.II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Dindigul District.
2. The Revenue Divisional Officer,
Office of RDO, Dindigul.
3. The Tahsildar,
Taluk Office,
Aathur Taluk,
Dindigul District.

+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR NO. 62332
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