



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :22.09.2015

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WEB COPY

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P(MD).No.5213 of 2015

1.T.Swaminathan

2.T.Selvam

3.T.Sankara Murugan

...Petitioners

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Revenue Divisional Officer,
Thanjavur.

3.The Tahsildar,
Thiruvaiyaru Taluk,
Thiruvaiyaru,
Thanjavur District.

...Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to consider the petitioners' application, dated 01.07.2013 and pass appropriate orders granting patta to them in respect of their shop Nos.142 and 143 bearing survey No.545/1 an extent of 398 sq. ft. South Street, Thiruvaiyaru, Thanjavur District by considering the representation, dated 10.02.2015 within the time frame that may be stipulated by this Honourable Court.

For petitioners

: Mr.K.Guhan

For Respondents

: Mr.S.Kumar,

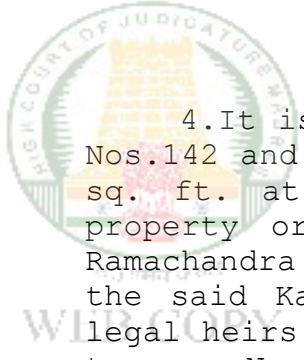
Additional Government Pleader

ORDER

The Writ Petition has been filed by the petitioners praying for a Writ of Mandamus directing the respondents to consider the petitioners' application, dated 01.07.2013 and pass appropriate orders granting patta to them in respect of their shop Nos.142 and 143 bearing survey No.545/1 measuring to an extent of 398 sq. ft. situated at South Street, Thiruvaiyaru, Thanjavur District by considering the representation, dated 10.02.2015 within a stipulated time.

2. Mr.S.Kumar, learned Additional Government Pleader takes notice for the respondents.

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



4. It is averred in the petition that the petitioners are having shop Nos.142 and 143 situated in survey No.545/1 measuring to an extent of 398 sq. ft. at South Street, Thiruvaiyaru, Thanjavur District. The said property originally belonged to one Kaliyaperumal. Thereafter, one Ramachandra Chettiar had purchased the said property on 25.03.1948 from the said Kaliyaperumal. Thereafter partition was effected between the legal heirs of the Ramachandra Chettiar. The said property was allotted to one Narayanan Chettiar by partition deed, dated 12.11.1959. The father of the petitioners had purchased the property from the legal heirs of the said Narayanan Chettiar on 05.05.1986. Thereafter, the petitioners' father executed a Will dated 02.04.2000 in favour of the petitioners. From the said date onwards, all the petitioners are in possession and enjoyment of the above said property. While so, they have applied for issuance of patta before the respondents along with all the relevant documents. They have also made representation to the respondents on 10.02.2015. But there was no response. Hence, the petitioners have come forward with the present Writ Petition for the above stated relief.

5. Considering the submissions made by the learned counsel for the petitioners, without going into the merits of the averments made in the Writ Petition, this Court directs the petitioners to give a copy of the representation, dated 10.02.2015, to the third respondent, along with a copy of this order, within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the third respondent is directed to consider the same and pass appropriate orders and in accordance with law after affording an opportunity of hearing to the petitioners as well as to all the necessary parties, with regard to issuance of patta, within a period of six weeks thereafter.

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

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Thanjavur District, Thanjavur.

2.The Revenue Divisional Officer, Thanjavur.

3.The Tahsildar,
Thiruvaiyaru Taluk,
Thiruvaiyaru, Thanjavur District.

+1cc to Mr.K.Guhan, Advocate SR.No.55975

+1cc to The Special Government Pleader, Madurai. SR.No.56139

W.P (MD) .No.5213 of 2015
22.09.2015