

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.15011 of 2016

Vijaya

... Petitioner

vs.

The Tahsildar,
Palacode Taluk,
Dharmapuri Taluk.

... Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus directing the respondent to issue patta to the petitioner based on the representation dated 18.3.2016.

For Petitioner : Mr.M.Ravi

For Respondent : Mr.S.Navaneethan,
Addl. Govt. Pleader.

ORDER

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

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondent to issue patta in her favour based on the representation dated 18.3.2016.

3. It is case of the petitioner that she has purchased a land measuring to an extent of 0.30 cents in Survey No.49/1c from one Periya Gounder and his sons by sale deed dated 12.5.1995 vide document No.978/95. Thereafter, she gave a representation dated 13.12.2013 to the respondent seeking patta in her name and the respondent, vide proceedings dated 24.7.2014 sought for some clarification from her. Thereafter, by furnishing the required particulars, the petitioner made a representation dated 18.3.2016 to the respondent for issuance of patta. But, so far, the respondent has not taken any action on the said representation. Hence, left with no other alternative, the petitioner has come up with the present writ petition for

the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who has taken notice on behalf of the respondent.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, this Court directs the respondent to conduct an enquiry on the representation of the petitioner dated 18.3.2016 seeking patta in her name, by affording an opportunity of personal hearing to the petitioner as well as to the necessary parties, if any and pass appropriate orders / take appropriate action, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim projected by the petitioner and it is for the respondent to consider the claim of the petitioner strictly on merits and in accordance with law. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

sbi

To

The Tahsildar,
Palacode Taluk,
Dharmapuri Taluk.

1 cc to Mr.M.Ravi, Advocate, sr.25994

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