

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2016

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.27353/2016

S.Rukmani

..

Petitioner

Versus

1.The Revenue Divisional Officer
Mettur Taluk, Salem District.

2.The Tahsildar
Mettur Taluk, Salem District.

3.K.Ramasamy Gounder
4.Illavarve Ponnusamy
5.V.Venkatachalam
6.V.Ponnusamy
7.S.Seerangammal
8.S.Kuppusamy
9.S.Saroja
10.S.Krishnan
11.S.Lakshmi
12.S.Panjavarnam
13.Perumal
14.Ammasi
15.Kunjammal
16.Govindasamy
17.Sreerangan

..

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus directing the 2nd respondent to issue a separate patta in the name of the petitioner's property situated at Survey No.216/1A1 an extent of 20 cents in Navapatti village, Mettur Taluk, Salem District in view of the petitioner's representation dated 21.06.2014 within limited time frame.

For Petitioner : Mr.A.Esakkiappan
For R1 & R2 : Mr.S.Navaneethan, AGP

ORDER

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

2 The petitioner would state that her father Siddagounder owned a property at S.No.216/1A1, Navapatti Village, Mettur Taluk, Salem District and by means of an Oral Partition, the petitioner was allotted 20 cents of land in the said survey number. The 2nd respondent has issued a joint patta No.431 along with the private respondents 3 to 17 and the petitioner apprehending interference in her peaceful possession and enjoyment, has also filed OS.No.279/2008 on the file of the Court of District Munsif, Mettur, for permanent injunction against one Parvathammal and others and the said suit came to be decreed on 16.07.2013 and no further challenge has been made. The petitioner armed with the said decree, submitted a representation dated 21.06.2014 to the respondents 1 and 2 praying for issuance of separate patta and since no orders have been passed, she came forward to file the present writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr.S.Navaneethan, learned Additional Government Pleader, who accepts notice on behalf of the respondents 1 and 2.

4 Though the petitioner has prayed for a larger relief, this Court in the light of the facts and circumstances and without going into the merits of the same, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 21.06.2014 on merits and in accordance with law, after putting on notice, the respondents 3 to 17 and pass orders within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the respondents 3 to 17.

5 The writ petition is disposed of accordingly. No costs.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

AP

To

1.The Revenue Divisional Officer
Mettur Taluk, Salem District.

2.The Tahsildar
Mettur Taluk, Salem District.

+1 cc to Mr.A.Esakkiappan Advocate sr.44501
+2 ccs to Government Pleader sr.44889,44878

W.P.No.27353/2016

aa12/08/2016



WEB COPY