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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 29.06.2016
CORAM

THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.P(MD) No.11569 of 2016

M.Valliammai

..Petitioner

Vs

1.The District Collector,
Pudukottai.

2.The District Revenue Officer,
Pudukottai District.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Pudukottai.

4.The Tahsildar,
Thirumayam,
Pudukottai District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondents to make necessary changes in the village accounts and issue joint patta in the name of Valliammai, Annamalai Chettiar and Palaniappan Chettiar to the Nanja lands situated at Perungudi Village in S.Nos.754, 755/1, 755/3, 756/1, 756/3, 757/1, 757/3, 758/2, 759/4, 760/2, 760/4, 761/1, 761/3, 762/1, 762/3, 764/2, 765/2, 765/4, 765/5, 766/1, 766/2, 766/3, 766/5 as per the order dated 11.11.2010 passed by the Assistant Settlement Commissioner (North), Chennai by considering the Petitioner representation, dated 17.06.2016 and pass appropriate order within stipulated time.

For Petitioner :Ms.S.Srimathy

For Respondents :Mr.J.Gunaseelan Muthiah
Govt. Advocate

ORDER

Heard both sides.

2.By consent of both sides, the main Writ Petition itself is taken up for final disposal.

3. No counter is filed on behalf of the Respondents 1 to 4.

4. The main grievance of the Petitioner is that her husband Muthu Chettiyar expired on 25.01.2013 leaving behind herself, Unnamalai Chettiar (married daughter), Uma (married daughter) and son Muthuraman. It appears that her husband and his brothers namely Annamalai Chettiar and Palaniappan Chettiar filed a case before the Sub Court Inam Abolition



Appeal No.3 of 1995 and a Suit in O.S.No.213 of 1974 on the file of District Court, Pudukottai District and both the matters were allowed in favour of her husband and his brothers.

5. It appears that her Late. husband and his brothers sought for issuance of patta in favour of one Muthuraman Chettiar, Annamalai Chettiar and Palaniappan Chettiar in respect of the Nanja lands, situated at Perungudi Village in S.Nos.754, 755/1, 755/3, 756/1, 756/3, 757/1, 757/3, 758/2, 759/4, 760/2, 760/4, 761/1, 761/3, 762/1, 762/3, 764/2, 765/2, 765/4, 765/5, 766/1, 766/2, 766/3 and 766/5.

6. As the matter of fact, the Assistant Settlement Commissioner (North), Chennai, has heard the case and ultimately passed an order on 11.11.2010. In fact, in the said order, a direction was issued to the Tahsildar, Thirumayam, to effect changes in the village accounts and enter the name of Muthu Chettiar, Annamalai Chettiar and Palaniappan Chettiar. After effecting necessary charges, her husband and his two brothers are entitled to joint patta.

7. Indeed, her Late. Husband, when he was alive, he approached the Respondents and prayed for issuance of joint patta in the name of three brothers. In the meanwhile, her husband expired on 25.01.2013. Therefore, as legal heirs of the deceased Muthu Chettiar, a petition was filed to the effect that joint patta may be issued in the name of the Petitioner and her brother-in-law namely Annamalai Chettiar and Palaniappan Chettiar. Also No Objection Letter was taken from the Petitioner's daughters and son.

8. The real grievance of the Petitioner is that her representation, dated 17.06.2016, addressed to the Third Respondent / Revenue Divisional Officer, Pudukottai, seeking issuance of patta in respect of the petition mentioned properties, till date, has not met with any positive response.

9. In response, the Learned Government Advocate appearing for the Respondents fairly submit that the Third Respondent would pass necessary orders, if this Court determines a time limit for issuance of patta.

10. Considering the fact that the Petitioner's representation, dated 17.06.2016, is pending in the hands of Third Respondent, in the subject matter in issue, without any disposal or progress, this Court simpliciter, without delving deep into the merits and contents of the representation, dated 17.06.2016, directs the Third Respondent, the Revenue Divisional Officer, Pudukottai, to look into the representation of the Petitioner, dated 17.06.2016, within a period of one week from the date of receipt of a copy of this Order. Thereafter, the Third Respondent, is to pass a reasoned speaking order, on merits, (by outlining the process of reasoning in qualitative and quantitative fashion by affording necessary opportunity to the Petitioner and others concerned by following the principles of natural justice) within a period of four weeks, thereafter. The Petitioner is directed to lend her assistance and co-operation to the Third Respondent / Revenue Divisional Officer, Pudukottai, so as to enable him to dispose of her representation, dated 17.06.2016.



11. With the aforesaid observations and directions, the Writ Petition stands disposed of. No costs.

Sd/
Assistant Registrar(AE)

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Sub Assistant Registrar

To

1. The District Collector,
Pudukottai.
2. The District Revenue Officer,
Pudukottai District.
3. The Revenue Divisional Officer,
Revenue Divisional Office,
Pudukottai.
4. The Tahsildar,
Thirumayam,
Pudukottai District.

+1cc to M/S.S.M.S.Johnny Basha, Advocate in SR.No.34044
+1cc to Special Government Pleader in SR.No.34215

W.P (MD) No.11569 of 2016
29.06.2016

MPK
PA/SK-SKN/11.07.2016/3P/7C