



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 08.08.2016

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL

W.P (MD) No.14222 of 2016

S.Suganthi

..Petitioner

Vs

The Tahsildar,
Taluk Office,
Thirumangalam Taluk,
Madurai District.

..Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the respondent to grant joint patta in the names of the Petitioner and her sister Chinna Ayyammal @ Ayyammal's, relating to punja and nanja lands in S.No.103/1F5 ad-measuring 0.09.0 Ares, S.No.20/3E ad-measuring 0.04.5 Ares, S.No.22/3C, ad-measuring 0.14.0 Ares, S.No.6/7, ad-measuring 0.06.0 Ares, S.No.97/1, ad-measuring 0.26.0 Ares, S.No.97/2, ad-measuring 0.24.5 Ares in patta No.60 and S.No.21/11B ad-measuring 0.09.5 Ares. S.No.21/11D ad-measuring 0.09.5 Ares, S.No.36/13A ad-measuring 0.01.0 Ares, S.No.36/13C ad-measuring 0.01.0 Ares, S.No.36/16 ad-measuring 0.03.0 Ares situated at Kangeyanatham Village, Thirumangalam Taluk, Madurai District based on the Petitioner's representation dated 20.6.2016

For Petitioner :M/s.T.Selvan

For Respondent :Mr.J.Gunaseealan Muthiah
Govt.Advocate

ORDER

Heard both sides.

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

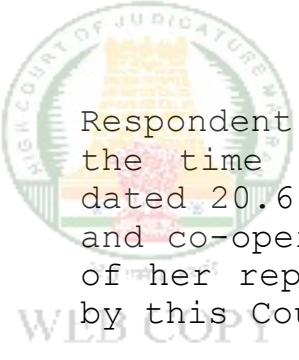
<https://hcservices.equity.gov.in/hcservices> is filed on behalf of the Respondent.



4. According to the Petitioner, the Punja and nanja lands in S.No.103/1F5 ad-measuring 0.09.0 Ares, S.No.20/3E ad-measuring 0.04.5 Ares, S.No.22/3C, ad-measuring 0.14.0 Ares, S.No.6/7, ad-measuring 0.06.0 Ares, S.No.97/1, ad-measuring 0.26.0 Ares, S.No.97/2, ad-measuring 0.24.5 Ares in patta No.60 and S.No.21/11B ad-measuring 0.09.5 Ares. S.No.21/11D ad-measuring 0.09.5 Ares, S.No.36/13A ad-measuring 0.01.0 Ares, S.No.36/13C ad-measuring 0.01.0 Ares, S.No.36/16 ad-measuring 0.03.0 Ares situated at Kangeyanatham Village, Thirumangalam Taluk, Madurai District originally belonged to her father Kannusamy. Her father had already expired. His father died on 23.10.2013 leaving behind the Petitioner, her brother Thonthiraj, his son Baskaran, wife Rukkumani, the Petitioner's father's second wife Ramayee and her daughter Chinna Ayyammal @ Ayyammal. The said Thondhiraj, his son Baskaran and wife Rukkumani had died without no issues. The Petitioner's second wife also died leaving behind her only daughter Chinna Ayyammal @ Ayyammal. After the death, she and her sister Chinna Ayyammal @ Ayyammal are in possession and enjoyment of the said lands and paying the kist for the said lands to the Government.

5. The grievance of the Petitioner is that he approached the respondent time and again to grant joint patta for the above said property in their names for the aforesaid survey numbers. Further, she gave a representation to the District Collector, Madurai, the Respondent herein/The Tahsildar, Taluk Office, Thirumangalam Taluk, Madurai District and the Village Administrative Officer, Kangeyanatham Village on 19.1.2016 seeking issuance of joint patta in their names for the above said survey numbers. But no action has been taken and finally, she gave another representation dated 20.06.2016 seeking issuance of joint patta for the above said survey numbers. Since the Respondent has not taken any steps, the Petitioner has filed this Writ Petition before this Court, for the relief stated supra.

6. Considering the fact that the Petitioner's representation, dated 20.6.2016 is pending on the file of the Respondent, without any progress or disposal as on date, at this stage, this Court, in the interest of justice, Equity, Fair Play, Good Conscience and even as a matter of prudence, directs the Respondent/The Tahsildar, Taluk Office, Thirumangalam Taluk, Madurai District to look into the representation of the Petitioner, dated 20.6.2016 within a period of one week from the date of receipt of a copy of this order and thereafter, to dispose of the same by passing a reasoned speaking order, on merits (of course after providing necessary opportunity to the Petitioner and others concerned, if any, by adhering to the principles of natural justice in true sense and spirit) within a period of three weeks thereafter. It is open to the Petitioner to produce copies of all necessary/relevant documents before the Respondent and the



Respondent in turn, shall take into consideration of the same at the time of disposal of the representation of the Petitioner, dated 20.6.2016. The Petitioner is directed to lend her assistance and co-operation in this regard, to the Respondent, in disposing of her representation, dated 20.6.2016 within the time determined by this Court.

7. With the aforesaid observation(s) and direction(s), the Writ Petition stands disposed of. No costs.

Sd/
Assistant Registrar(Records)

/True Copy/

Sub Assistant Registrar.

To

The Tahsildar,
Taluk Office,
Thirumangalam Taluk,
Madurai District.

+1CC to M/S.T.Selvan, Advocate, SR.No. 42670
+1CC to the Special Government Pleader, SR.No. 42620

W.P(MD)No.14222 of 2016

08.08.2016

vsn
SD/SS2/18.08.2016/3P/4C