

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 24.08.2016****CORAM****THE HONOURABLE MR. JUSTICE M. VENUGOPAL****W.P (MD) No.15847 of 2016**

1.Sermadurai
2.V.Ramasamy
3.Sakthikannan

... Petitioners

Vs.

The Tahsildar,
Alangulam Taluk,
Tirunelveli District.

... Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India seeking for issuance of a Writ of Mandamus, directing the Respondent to issue a patta in favour of the petitioners based on their representations, dated 25.06.2016 in S.No.684/2C, 683/2A and 683/2C in Poolankulam Village, Alangulam Taluk, Tirunelveli District.

For Petitioner : Mr.KR.Singaravadivel

For Respondent : Mr.S.Kumar,
Additional Government Pleader

ORDER

Heard both sides. By consent, the main Writ Petition itself is taken up for final disposal. No counter-affidavit is filed on behalf of the Respondent.

2. According to the Petitioners, their representations, dated 25.06.2016 addressed to the Respondent/Tahsildar, Alangulam Taluk, Tirunelveli District, are pending for disposal. It appears that the First Petitioner along with his brothers viz., the Second and Third Petitioners, are enjoying the property in question. In fact, the Petitioners' father had executed a gift deed in their favour on 20.04.2010 and three gift deeds were separately registered in favour of the Petitioners. The First Petitioner's document bears No.2458, the Second Petitioner's document bears No.2460 and the Third Petitioner's document bears No.2459. In reality, the execution took place on 20.04.2010. After receipt of documents, the Petitioners are enjoying the property and are

carrying out cultivation in Sruvey Nos.684/2C, 683/2A and 683/2C in Poolankulam Village, Alangulam Taluk, Tirunelveli District.

3. Considering the fact that the Petitioners' representations, dated 25.06.2016, are pending before the Respondent without any significant progress or disposal till date, at this stage, this Court based on Equity and good conscience, directs the Respondent/Tahsildar, Alangulam Taluk, Tirunelveli District, to look into the representations of the Petitioners, dated 25.06.2016, within a period of one week from the date of receipt of a copy of this order. Thereafter, the Respondent/Tahsildar, Alangulam Taluk, Tirunelveli District, is to pass a reasoned speaking order on the representation of the Petitioner, dated 25.06.2016 and to dispose of the same, within a period of four weeks thereafter (Of course after adhering to the Principles of Natural Justice by issuing notice to the Petitioner and others concerned if any, who are interested in the subject matter in issue). In case, the Respondent is in need of any copy of relevant records/certified copy of documents, as the case may be, then, it is open to the Respondent to call for such records/documents from the possession of the Petitioners by means of issuance of memo/notice and soon after receipt of such memo/notice, it is incumbent on the part of the Petitioners to comply with the plea/request made by the Respondent without any haziness or hesitation, as expeditiously as possible, so as to enable the Respondent, to do the needful, within the time adumbrated by this Court, as stated supra. Needless for this Court to make a significant mention that the Petitioners are to render their assistance and instinted co-operation to the Third Respondent in the subject matter in issue.

With the above said Direction(s)/Observation(s), this Writ Petition stands disposed of. No Costs.

Sd/-

Assistant Registrar(T&P)

/TRUE COPY/

Sub Assistant Registrar

To
The Tahsildar,
Alangulam Taluk,
Tirunelveli District.

+1cc to Mr.K.R.SINGARAVADIVEL, ADVOCATE SR.No. 47053

+1cc to M/S.THE SPECIAL GOVERNMENT PLEADER, SR NO: 47414

PM

JA-DB-07.09.2016/2P:4C

W.P (MD) No.15847 of 2016
24.08.2016