



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.07.2016

CORAM

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THE HONOURABLE MR.JUSTICE M.VENUGOPAL**Writ Petition (MD). No.7889 of 2016**

S.R.Sambasivam

... Petitioner

Vs.

The Tahsildar,
Pattukottai Taluk,
Thanjavur District.

... Respondent

Prayer:-Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent to consider the petitioner's representation dated 13.10.2014 for issuance of joint patta in Survey Nos.259/1 and 258/1 situate at Athikottai, Pattukkottai Taluk, Thanjavur District within the period stipulated by this Hon'ble Court and pass such further or other orders as this Hon'ble Court.

For Petitioner
For Respondent

:No appearance
:Mr.S.Kumar
Addl. Government Pleader

ORDER

No counter is filed on behalf of the respondent.

2. According to the petitioner, he is the family head and he is aged about 63 years. His grievance is that the omitted portion of the property is to be incorporated in the patta issued to him and in his brother's name. Otherwise, he would be put to great hardship. Furthermore, it is his stand that as per partition deed, they are enjoying the property separately and in fact, his father's brother's son namely Swaminathan had given a 'No Objection Certificate' for incorporating the omitted portion of the property in the joint patta. Moreover, the said Swaminathan also given 'No Objection Statement' for incorporating omitted portion of the property in the joint patta. As a matter of fact, the petitioner had submitted a representation dated 13.10.2014 addressed to the Tahsildar, Pattukkottai, praying for issuance of joint patta in respect of Sy.Nos.259/1 and 258/1, situate at Athikottai, Pattukkottai Taluk, Thanjavur District.



3. Considering the limited relief sought for by the petitioner viz., for passing of an order by this Court in directing the respondent/Tahsildar, Pattukkottai Taluk, Thanjavur District to consider his representation, dated 13.10.2014, for issuance of joint patta in the subject matter in issue, at this stage, this Court, without delving deep into the merits and contents of the representation of the petitioner, dated 13.10.2014, simply, in the interest of Justice, directs the respondent/Tahsildar, Pattukkottai to look into the representation of the petitioner, dated 13.10.2014 and to pass a speaking order on merits in a free, fair, unbiased and dispassionate manner within a period of six weeks from the date of receipt of copy of this order. (Of-course, after providing necessary opportunity to the petitioner and others concerned, by adhering to the principles of Natural Justice). The petitioner is directed to lend his assistance and co-operation to the respondent/Tahsildar, Pattukkottai Taluk, Thanjavur District, to dispose of his representation dated 13.10.2014, within the time stipulated by this Court.

4. With the aforesaid observation(s) and direction(s), the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

VS

To

The Tahsildar, Pattukkottai Taluk, Thanjavur District.

+1CC to Mr.Mathava Govindan, Advocate Sr.No.35455

+1CC to Spl.Government Pleader Sr.No.35797

GJM/KBM/19.7.16-2p-4c

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