

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.08.2017

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.23593 of 2017

R.Geetanjali

.. Petitioner

Vs.

1. The Revenue Divisional Officer,
Namakkal Revenue District,
Namakkal.

2. The Tasildar,
Senthamangalam Taluk
Namakkal District.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for the issuance of a writ of mandamus to direct the first respondent to pass an appropriate order to grant patta in favour of the petitioner pursuant to an appeal preferred by the petitioner under Section 12 of Patta Passbook Act, 1983 on 29.05.2017.

For Petitioner ... Mr.K.Thenrajan

For Respondents ... Mr.Navaneetham,
Addl. Govt. Pleader

ORDER

The petitioner has approached this Court seeking the following relief:

to issue a writ of mandamus to direct the first respondent to pass an appropriate order to grant patta in favour of the petitioner pursuant to an appeal preferred by the petitioner under Section 12 of Patta Passbook Act, 1983 on 29.05.2017.

2.The case of the petitioner is that her mother purchased the property in Survey No.354, Senthamangalam Village, Namakkal Taluk, Salem District in the year 1956. Further in the year

1958, her mother purchased another property in Survey No.354, Senthamangalam Village, Namakkal Taluk, Salem District and after the purchase of the property, the petitioner's mother constructed a house in a portion and the remaining land was kept vacant. But, however, the same was in her possession and enjoyment. On 16.12.2010, the petitioner's mother died intestate. Thereafter, a representation was given by the petitioner on 30.11.2015 to the second respondent for grant of patta for the properties as indicated above. Since no order was forthcoming from the second respondent, the petitioner was constrained to approach this Court in W.P.No.711 of 2016 and the same was disposed of by this Court by directing the authority to pass orders.

3.On 20.07.2016, the second respondent passed orders vide Proceedings in Na.Ka.No.1683/2016/A1 dated 20.07.2016 rejecting the claim of the petitioner for grant of patta, against which, the petitioner has preferred an appeal to the first respondent on 29.05.2017 under Section 12 of Patta Passbook Act, 1983. However, no decision has been taken on the appeal and the same is still pending with the first respondent.

4.Mr.Navaneetham, learned Additional Government Pleader takes notice for the respondents and there was no objection to issue a limited direction to the first respondent viz., the appellate authority to dispose of the appeal within a particular time.

5.In the said circumstances, there shall be a direction to the first respondent to dispose of the appeal, which was made under Section 12 of the Patta Passbook Act, 1983, on 29.05.2017 within a period of eight weeks from the date of receipt of a copy of this order.

6.With this direction, the writ petition stands disposed of. No costs.

सत्यमेव जयते

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Sd/-
Asst.Registrar (J)

/true copy/

Sub Asst. Registrar

mmi

To

1. The Revenue Divisional Officer,
Namakkal Revenue District,
Namakkal.
2. The Tasildar,
Senthamangalam Taluk
Namakkal District.

+1cc to Mr.K.Thenrajan, Advocate Sr. 63092

+1cc to the Government Pleader Sr. 63397

W.P.No.23593 of 2017

AR(J)
VR(19/09/2017)



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