

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2017

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.17503 of 2017

G.Narayanan

.. Petitioner

Vs.

1.The District Revenue Officer,
Salem District,
Salem.

2.The Sub Collector/Revenue Divisional Officer,
Mettur Revenue Division,
Mettur Dam, Salem District.

3.The Tahsildar,
Kadaiyampatti Taluk,
Kadaiyampatti,
Salem District.

4.R.Senthil Kumar

.. Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus to direct the third respondent to rectify the mistakes and issue joint patta in the name of the petitioner viz., G.Narayanan and other siblings of late Mr.Ramasamy in respect of property in ***S.No.152/3A**, Marakottai Village, Kadaiyampatti Taluk, Salem District based on his application dated 22.08.2016 within a stipulated time.

For Petitioners : Mr.M.R.Jothimanian

For Respondents : Mr.K.J.Sivakumar for R1 to R3
Government Advocate
Mr.C.Prabakaran for R4

O R D E R

The petitioner seeks for a mandamus to direct the third respondent to rectify the mistakes and issue joint patta in the name of the petitioner viz., G.Narayanan and other siblings of late Mr.Ramasamy in respect of property in ***S.No.152/3A**, Marakottai Village, Kadaiyarupatti Taluk, Salem District, based on his application dated 22.08.2016.

2.After notice, the fourth respondent entered appearance through his counsel. The learned counsel appearing for the fourth respondent submitted that the claim of the petitioner seeking for joint patta is not sustainable and therefore, the third respondent cannot issue the same as sought for by the petitioner. Needless to say that this court, at this stage, cannot go to the rival claim of the parties, as it is for the third respondent/Tahsildar to consider and decide after conducting proper enquiry and also after giving due opportunity to the parties concerned. Accordingly, without expressing any view on the merits on the claim made by the parties viz., the petitioner and the fourth respondent, this writ petition is disposed of only by directing the third respondent to consider the application of the petitioner dated 22.08.2016 and pass orders on the same on merits and in accordance with law, after giving due opportunity to the petitioner as well as the fourth respondent and other parties interested, if any. Such exercise shall be done by the third respondent within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

21.11.2017

Sd/-

Assistant Registrar(CS VII)

04/12/2017

***Amended as per order of this
court dated 11.01.2018 in
WMP.643/18 in WP.17503/17**

Sd/-

**Assistant Registrar(CS V)
17/01/2018**

//True Copy//

Sub Assistant Registrar

vri

To

1.The District Revenue Officer,
Salem District,
Salem.

Amended order to be substituted
For the order already
despatched on 10/01/2018

2.The Sub Collector/
Revenue Divisional Officer,
Mettur Revenue Division,
Mettur Dam, Salem District.

3.The Tahsildar,
Kadaiyampatti Taluk,
Kadaiyampatti,
Salem District.

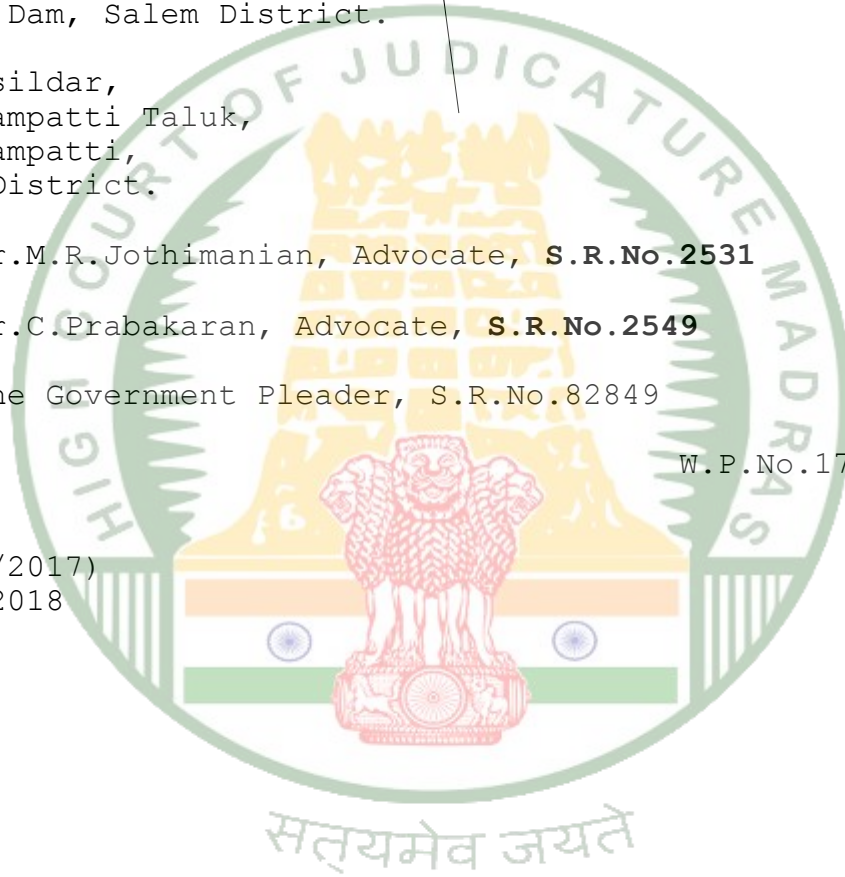
+1cc to Mr.M.R.Jothimanian, Advocate, **S.R.No.2531**

+1cc to Mr.C.Prabakaran, Advocate, **S.R.No.2549**

+1cc to the Government Pleader, S.R.No.82849

W.P.No.17503 of 2017

RRK(11/12/2017)
nr 17/01/2018



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