

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.02.2017

CORAM :

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. No. 31809 of 2013

L. Lakshmi

.. Petitioner

Vs.

The Taluk Tahsildar
Mettur Taluk
Salem District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to consider and dispose of the petition dated 17.09.2013 for issuance of patta in respect of petitioner's property comprised in S.F. No.135/4H measuring nearly 3 cents situated at Periyasoragai village, Mettur Taluk, Salem District expeditiously and pass such further orders.

For Petitioner : Mr. V. Ravi

For Respondents : Mr. S. Navaneethan
Addl. Government Pleader

O R D E R

The petitioner has filed the present writ petition, seeking to direct the respondent to consider and dispose of the petition dated 17.09.2013 for issuance of patta in respect of his property comprised in S.F. No.135/4H measuring nearly 3 cents situated at Periyasoragai village, Mettur Taluk, Salem District expeditiously.

2. Learned counsel for the petitioner submitted that the petitioner purchased the subject property vide registered sale deed, constructed a house and is residing in the said property. The petitioner filed O.S.No.232 of 1999 before the District Munsif Court, Mettur for declaration of title over the 6 ft width and 60 ft length of lane on the western side of her house. However, the suit was dismissed by the lower court, permitting all parties to use the lane to reach their respective properties. The appeal filed against the said order was also dismissed by the Appellate Court. Whiles, the petitioner

submitted a petition on 17.09.2013, to the respondent, for issuance of patta in respect of her property, to the extent she holds the title. Since, the respondent has not considered his petition for issue of patta, the petitioner is before this Court.

3. Learned Additional Government Pleader appearing for the respondent would submit that as stated by the petitioner, if the representation of the petitioner dated 17.09.2013 is in proper format and is still pending, the same would be considered, in accordance with law.

4. Heard learned counsel for the petitioner and learned Additional Government Pleader and perused the material available on record.

5. Taking into consideration, the facts and circumstances of the case and the submission of the learned counsel for the parties, without expressing any opinion on the merits of the case, the respondent is directed to consider the petition dated 17.09.2013 of the petitioner, on merits and in accordance with law, as expeditiously as possible, not later than twelve weeks from the date of receipt of a copy of this order.

6. The Writ Petition is disposed of, on the above terms. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

avr
To

The Taluk Tahsildar
Mettur Taluk
Salem District.

+1cc to M/s. V. Ravi, Advocate, S.R.No.9902
+1cc to the Government Pleader, S.R.No.10203

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NR(CO)
Eu 3.5.17