

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED : 11.07.2017

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM**W.P. (MD) No.12795 of 2017**

P.Rukkumani

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Sattur Division,
Sattur, Virudhunagar District.
2. The Tahsildar,
Taluk Office,
Rajapalayam,
Virudhunagar District.
3. S.Balakrishnan

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing respondents to issue separate joint patta in the name of the petitioner and his brother M.Balakrishnan in respect of Survey No.153/5 measuring about 10.5 Cents situated at South Venganallur Village, Rajapalayam Taluk, Virudhunagar District by making sub division based on the Petitioner's representation dated 22.06.2017 within the time stipulated by this Court.

For Petitioner : Mr.G.Rajaraman.
For Respondent 1 & 2 : Mr.G.Muthukannan,
Government Advocate.

O R D E R

The writ petition is filed seeking for the issuance of a Writ of Mandamus directing respondents to issue separate joint patta in the name of the petitioner and his brother M.Balakrishnan in respect of Survey No.153/5 measuring about 10.5 Cents situated at South Venganallur Village, Rajapalayam Taluk, Virudhunagar District by making sub division based on the petitioner's representation dated 22.06.2017.

2.Mr.G.Muthukannan, learned Government Advocate takes notice for the respondents 1 and 2. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the petitioner is that a land to an extent of 21 cents in Survey No.153/5 situated at South Venganallur Village, Rajapalayam Taluk, Virudhunagar District was originally owned by her grandmother, namely, Mariammal. She had two daughters, namely, ~~Rajammal~~ and Lakshmiammal. The petitioner is the daughter of the said Lakshmiammal.



4.The petitioner would state that her mother Lakshmiammal got 1/2 portion in Survey No.153/5, measuring about 21 cents and in Survey No.244 measuring about 50 cents respectively through a register settlement deed dated 06.09.1972. After her death, the petitioner and her brother N.Balakrishnan are enjoying the property as owners.

5.It is further stated that the third respondent succeeded the property of the petitioner's maternal aunt, namely, Krishnammal and the revenue records pertaining to the Survey No.244 were already changed and joint patta has also been issued in respect of Survey No.153/5. But, the revenue officials, mistakenly, included the petitioner's husband's name Periyasamy. Hence, the petitioner made an application to rectify the said mistake in the revenue records and also sent the representation dated 22.06.2017. Since no order was passed, the present writ petition is filed.

6.Considering the limited scope of the prayer sought for in this writ petition, this Court, without going into the merits of the claim made by the petitioner in this Writ Petition, directs the first respondent to consider the representation of the petitioner, dated 22.06.2017, and pass appropriate orders on merits and in accordance with law, after providing opportunity of hearing to all the necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. No costs.

sd/-

Assistant Registrar()

/True Copy/

Sub Assistant Registrar

To:

1.The Revenue Divisional Officer,
Sattur Division,
Sattur, Virudhunagar District.

2.The Tahsildar,
Taluk Office,
Rajapalayam,
Virudhunagar District.

+1cc to M/S. G.RAJARAMAN, Advocate, SR.No.64809.

+1cc to Special Government Pleader, SR.No.65008.

W.P. (MD) No.12795 of 2017

11.07.2017