

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

DATED : 30.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

WEB COPY

W.P. (MD) No.16276 of 2017

R.Selvi

... Petitioner

Vs.

1. The District Collector,
Thanjavur, Thanjavur District.

2. The Sub-Collector,
Kumbakonam, Thanjavur District.

3. The Tahsildar,
Thiruvidaimarudur Taluk,
Thiruvidaimarudur, Thanjavur District.

... Respondents

PRAYER: Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to give the Patta to the petitioner with regard to No.67, Maruthuvakudi-I Village, punjai Survey No.125/2B, to an extent of 0.03.5 Ares situated at Aduthurai, Thiruvidaimarudur Taluk, Thanjavur District based on the petitioner's representation dated 07.08.2017.

For Petitioner : Mr.G.Gomathi Sankar
For Respondents : Mr.G.Muthukannan,
Government Advocate

O R D E R

This Writ Petition is filed seeking for issuance of a Writ of Mandamus, directing the 2nd and 3rd respondents to give patta in favour of the petitioner based on the petitioner's representation, dated 07.08.2017.

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

3.The petitioner would state that the property in punjai Survey No.125/2B in No.67, Maruthuvakudi-I Village, to an extent of 0.03.5 Ares was purchased by her father-in-law, namely, Narayanasamy. Since then he was in possession by putting a small hut. After his demise, the property was inherited by her husband and he was in possession and enjoyment of the same till his life



time. Now the petitioner is in possession and enjoyment of the property. She approached the respondents for issuance of patta. But it was not granted. Hence, she sent a representation to the second respondent on 17.08.2017. Since no favourable order was passed, the present writ petition.

WEB COPY

4.The learned Government Advocate appearing for the respondents would submit that the third respondent is the competent authority to consider the grievance of the petitioner and if a fresh representation is given, he will pass orders on merits.

5.In view of the above submission and considering the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the matter, directs the petitioner to give a fresh representation to the third respondent by enclosing a copy of this order within a period of two weeks from the date of receipt of a copy of this order. On such compliance, the third respondent shall consider the same and pass appropriate orders on merits and in accordance with law, after providing opportunity to all necessary parties, within a period of twelve weeks therefrom.

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

Sd/-

Assistant Registrar(Crl.Side)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Thanjavur, Thanjavur District.
2. The Sub-Collector,
Kumbakonam, Thanjavur District.
3. The Tahsildar,
Thiruvidaimarudur Taluk,
Thiruvidaimarudur, Thanjavur District.

+1cc to M/S. G.GOMATHI SANKAR, Advocate, SR.No.75304.

+1cc to Special Government Pleader, SR.No.75761.

W.P. (MD) No.16276 of 2017
30.08.2017