



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.17790 of 2017

S.R.Parvathy

...Petitioner

-Vs-

1. The District Collector,
Tuticorin District,
Tuticorin.

2. The Tahsildar,
Town Land Tax Unit I,
Tuticorin Sub Collector Office,
Tuticorin District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the second respondent to issue patta based on the petitioner's representation dated 08.08.2017 on merits and in accordance with law.

For Petitioner : Mr.M.Thilagar
For Respondents : Mr.C.Selvaraj
Special Government Pleader

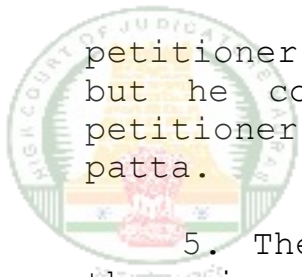
O R D E R

This petitioner seeks issuance of Writ of Mandamus, directing the second respondent to issue patta based on the petitioner's representation dated 08.08.2017.

2. Heard Mr.M.Thilagar, learned counsel for the petitioner and Mr.C.Selvaraj, learned Special Government Pleader for the respondents and perused the records.

3. The petitioner would claim that by virtue of settlement deed dated 12.03.1938, the petitioner's husband, namely, late.Ramadosh became the owner of the property in Ward No.4, Block No.1 in T.S.No.111 at Tuticorin Town. The property tax and the house tax were changed in the name of the petitioner's husband on 02.07.2008 by the Commissioner, Tuticorin Municipality.

4. The petitioner would allege that her husband died on 25.01.2016, but well before his death, even in the year 2008, the



petitioner's husband applied for patta with the second respondent, but he could not get patta during his lifetime and now the petitioner sent a representation dated 08.08.2017 for granting patta.

5. The learned counsel for the petitioner would submit that there is no rival claim. Despite the same, the petitioner, who is aged about 73 years old, has made to run from pillar to post.

6. The learned Special Government Pleader would submit that the second respondent would dispose of the representation of the petitioner on merits and in accordance with law.

7. In view of the above submission, the second respondent is directed to consider the representation of the petitioner and pass orders on merits and in accordance with law, after providing opportunity to all the necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

8. Accordingly, this writ petition is allowed. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Tuticorin District,
Tuticorin.
2. The Tahsildar,
Town Land Tax Unit I,
Tuticorin Sub Collector Office,
Tuticorin District.

+1cc to Mr.M.Thilagar, Advocate Sr.No.79836

+1cc to Spl.Government Pleader Sr.No.80893

SM

VB/SKN/RSK/SAR1/03.10.2017/2P/5C

W.P. (MD) No.17790 of 2017
20.09.2017