



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.02.2017

CORAM :

WEB COPY

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD)No. 1814 of 2017

L.Palaniappan

... Petitioner

vs.

1.The District Collector,
O/o The District Collector Office,
Sivagangai District.

2.The District Revenue Officer,
O/o The District Revenue Office,
Sivagangai.

3.The Revenue Divisional Officer,
Taluk Office,
Devakottai,
Sivagangai District.

4.The Tahsildar,
Karaikudi,
Sivagangai District.

5.The Village Administrative Officer,
Managiri Village,
Karaikudi Block,
Sivagangai District.

... Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the 2nd respondent to consider the petitioner's representation dated 13.05.2015 for granting Joint patta in Survey No. 410/4 to an extent of 0.04.28 ares which is consists of 10.57 cents situated in Sukkanenthall Group, Managiri Village, Karaikudi Block, Sivagangai District within the stipulated time frame fixed by this Hon'ble Court.

For Petitioner

: Mr.R.Ganesh Prabu

For Respondents

: Mr.C.Selvaraj

Special Government Pleader

ORDER

<https://hcservices.ecourts.gov.in/hcservices/>

Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents.



2. Considering the limited scope of the prayer sought for, by consent of parties, the main Writ Petition itself is taken up for final disposal.

3. The case of the petitioner is that the property comprised in Survey No.410/4 measuring to an extent 10.57 cents situated at Managiri, Sukkanenthal Group, Karaikudi Block, Sivagiri District, originally stood in the name of his father Lakshmanan. According to the petitioner, originally a larger extent of land was divided between his father and his father's brother Renganathan and after the partition, the subject property was possessed and enjoyed by the petitioner's father. After the death of the petitioner's father, the petitioner had made a request to the second respondent requesting him to transfer the patta in favour of him and his brother Arunachalam. The second respondent also seems to have forwarded the application to the fourth respondent before whom the same is pending.

4. The learned counsel for the petitioner also submits that along with the application for change of patta in favour of the petitioner and his brother, they had also enclosed 'No Objection Certificate' issued by the brother of their father, namely, Renganathan. In spite of the same, their request has not been considered till date.

5. In view of the limited scope of the prayer sought for in this writ petition, there shall be a direction to the fourth respondent to consider the petitioner's claim made in his representation 07.11.2016 for granting joint patta in favour of the petitioner and his brother Arunachalam in respect of the land in Survey No.410/4 measuring to an extent 10.57 cents situated at Managiri, Sukkanenthal Group, Karaikudi Block, Sivagiri District, within a period of eight weeks from the date of receipt of a copy of this order. It is made clear that I have not expressed any of my views with regard to the claim made by the petitioner in his representation.

With the above direction, this Writ Petition stands allowed.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector,
O/o The District Collector Office,
Sivagangal District.



2. The District Revenue Officer,
O/o The District Revenue Office,
Sivagangai.

WEB COPY

3. The Revenue Divisional Officer,
Taluk Office,
Devakottai,
Sivagangai District.
4. The Tahsildar,
Karaikudi,
Sivagangai District.
5. The Village Administrative Officer,
Managiri Village,
Karaikudi Block,
Sivagangai District.

+One cc to Mr.R.Ganesh Prabhu, Advocate, SR.No.5925

+One cc to The Special Government Pleader, SR.No.6396

PM

RL/8C/3P/MR/16.2.2017

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