



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:20.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD)No.8483 of 2017

WEB COPY

R.Mariammal

...Petitioner

-Vs-

1.The District Collector,
Madurai District,
Madurai.

2.The Revenue Divisional Office,
Usilampatti,
Madurai District.

3.The Thasildar,
Peraiyur,
Madurai 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 respondents to consider the representation of the petitioner, dated 18.06.2016 within the stipulated time.

For Petitioner	: Ms.J.Padhmaavathi Devi
For Respondents	: Mr.A.Muthukaruppan, Additional Government Pleader.

ORDER

The prayer sought for in the Writ petition is to issue a Writ of Mandamus directing the respondents to consider the representation of the petitioner, dated 18.06.2016 within the stipulated time.

2.The case of the petitioner is that the land measuring 1.03 Ars — in Survey No.202/3, T.Kallupatti, Village No.73, Peraiyur Taluk, Madurai District was assigned in favour of the petitioner's father-in-law and after his death, it was inherited by the petitioner's husband. Thereafter on 04.02.2000, the property was gifted in favour of the petitioner by her husband. While so, a patta in respect of the property was stands in the name of one L.Ponnuthai.

3.Heard Ms.J.Padhmaavathi Devi, learned Counsel appearing for the petitioner and Mr.A.Muthukaruppan, learned Additional Government Pleader appearing for the respondents and perused the materials available on record.



4. The learned Counsel appearing for the petitioner would submit that the petitioner had approached the civil Court to establish her right by filing a suit in O.S.No.399 of 2000, on the file of the District Munsif Court, Thirumangalam. She further submitted that though she lost her case before the Trial Court, the Judgment of the trial Court was reversed by the Sub Judge, (Camp Court), Thirumangalam in A.S.No.80/2009, which was also confirmed by this Court in S.A.No.1276 of 2011.

5. The learned Counsel further submitted that based on the Judgment of the Civil Court, the petitioner seeking transfer of patta in the name of the petitioner and so far the respondents are not passed any orders. Hence the present Writ petition.

6. The learned Additional Government Pleader, appearing for the respondents, on instructions, would submit that the second respondent based on the representation given by the petitioner has initiated enquiry proceedings and he will pass orders within the stipulated time.

7. In the light of the above facts and the submissions made by the learned Additional Government Pleader appearing for the respondents, without going into the merits of the facts, this Court directs the second respondent to pass orders on the representation of the petitioner's, dated 18.06.2016 on merits and in accordance with law, after providing opportunities to necessary parties within a period of twelve weeks from the date of receipt of a copy of this order.

8. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(C.S.)

To

1. The District Collector, Madurai District, Madurai.

2. The Revenue Divisional Office, Usilampatti, Madurai District.

3. The Thasildar, Peraiyur, Madurai District.

+1cc to M/S.J.PADMAVATHI DEVI, Advocate SR.No.66674

+1cc to Special Government Pleader, SR.No.67126

msa/smi

MAS/MR-KKR/SAR2:31.07.2017:2P-6C