IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.06.2018

Coram

The Hon'ble Mr.Justice T.Raja

Writ Petition No.14274 of 2018

P. Muthukannu ...Petitioner

Vs.

1. The District Collector,
Collectorate, Salem.

2. The District Revenue Officer,
Collectorate, Salem.

3 The Revenue Divisional Officer,
Attur Taluk and Post,
Salem District.

4. The Thasildar,
Taluk Office,
Gangavalli Post and Taluk,
Salem District. ...Respondents

Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Mandamus directing the fourth respondent to consider the petitioner's representation dated 12.02.2018 and reminder representation, dated 23.04.2018 and to issue separate patta in favour of the petitioner, which is situated in Survey Number 76/6C admeasure 10 cents of lands, which is situated in Navakuruchi Village, Attur Taluk, Salem District, belong to the petitioner.

For Petitioner : Mr.A.Rajakumar
For Respondents : Mrs. P.Rajalakshmi
Additional Government Pleader

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O R D E R

Heard Mr.A.Rajakumar, the learned counsel appearing for the petitioner and Mrs.P.Rajalakshmi, the learned Additional Government Pleader, accepting notice on behalf of the respondents. With consent of the learned counsel on either side, the Writ Petition is taken up for disposal.

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2. This Writ Petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus directing the fourth respondent to consider his representation, dated 12.02.2018 and the reminder, dated 23.04.2018, and to issue separate patta in his favour, in respect of the property comprised in Survey Number 76/6C, admeasuring 10 cents of lands situated in Navakuruchi Village, Attur Taluk, Salem District.

3. The petitioner claims to be a joint pattadar in respect of the aforementioned property, as the said property was already partitioned among three members, i) Narayana Gounder, ii)Perumal Gounder and iii)N.Ramasamy Gounder. Since the schedule of property after partition that took place on 08.08.1973, clearly demarcates the share of the petitioner and the share has been allotted under S.No.76/6C and the clear description of the property also has been given, (i.e. schedule of the property) the petitioner has given a representation, dated 12.02.2018, for issuing separate patta by changing the joint patta. Finding no response, the petitioner has given a reminder on 23.04.2018. Though the same has been acknowledged by the respondents, as on date, no action has been taken by the respondents in regard to the relief sought for by the petitioner.

4. The learned Special Government Pleader for the respondents submits that since the partition among family members have taken place on 08.08.1973, and the same was also registered and the petitioner has claimed that his share has been allotted under S.No.76/6C, the respondents will consider the representation of the petitioner, and also sought for a reasonable time for its disposal. In view thereof, the Writ Petition is disposed of, with a direction to the fourth respondent to consider the partition deed, dated 08.08.1973, the joint patta and the representation given by the petitioner as also the reminder, dated 12.02.2018 and 23.04.2018 respectively and pass appropriate orders within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CCC)

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//True copy//

Sub Assistant Registrar

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To

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   Collectorate, Salem.

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3 The Revenue Divisional Officer,
   Attur Taluk and Post,
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4. The Thasildar,
   Taluk Office,
   Gangavalli Post and Taluk,
   Salem District.

+1cc to Government Pleader SR.No.37890

Writ Petition No.14274 of 2018

GN(27/06/2018)

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