



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2018

CORAM :

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition (MD) No.5930 of 2018

Pottayammal

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Ramanathapuram District.

2. The Tahsildar,
Ramanathapuram District.

3. Palraj

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the 2nd respondent to cancel the patta in the name of KARAL in respect of the property comprised in S.No.85/5F to an extent of 48.50 ares situated at Salaivalasai Village, Pirappanvalasai Group, Ramanathapuram District and re-issue patta in the name of the petitioner.

For Petitioner : Mr.R.G.Shankar Ganesh

For Respondents 1&2 : Mrs.J.Padmavathidevi,
Special Government Pleader.

ORDER

This writ petition has been filed seeking direction to the second respondent to cancel the patta in the name of Karal in respect of the property comprised in S.No.85/5F to an extent of 48.50 ares situated at Salaivalasai Village, Pirappanvalasai Group, Ramanathapuram District and re-issue patta in the name of the petitioner.

2. Heard Mr.R.G.Shankar Ganesh, learned counsel appearing for the petitioner and Mrs.J.Padmavathidevi, learned Special Government Pleader appearing for the respondents 1 and 2. Notice to the third respondent is dispensed with in view of the nature of the case and the issues involved.

<https://hcmr.courts.gov.in/casefiles/>

3. According to the petitioner, the land in S.No.85/5F,



measuring to an extent of 48.50 ares situated at Salaivalasai Village, Pirappanvalasai Group, Ramanathapuram District, originally, belongs to the petitioner's father and patta was also issued in his favour. Pursuant to the family partition, the above said property was allotted to the petitioner and patta was also transferred in her name. However, the second respondent, without any notice has effected mutation in the name of one Karal who was not alive at the time of mutation. In the above circumstances, the petitioner filed an appeal before the Revenue Divisional Officer, Ramanathapuram District, the first respondent herein seeking rectification of the said mistake which is still pending. Hence, the petitioner has filed the present writ petition.

4. Considering the facts and circumstances of the case, this Court, without going into the merits of the case, directs the first respondent to dispose of the appeal filed by the petitioner on 30.05.2017 within a period of twelve weeks from the date of receipt of a copy of this order, after issuing notice to the petitioner as well as to the third respondent and other interested parties.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar (RTI)

/True Copy/

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Ramanathapuram District.

2. The Tahsildar,
Ramanathapuram District.

+ 1 cc TO Mr. R.G. Shankar Ganesh, Advocate in SR No. 56605
+ 1 cc TO The Special Government Pleader in SR No. 57648

sms
AE/JC/SAR3/16.04.2018/2P/5C

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