



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.39966 of 2005
and W.P.M.P.No.42871 of 2005

Muthulakshmi

..Petitioner

Vs

- 1.The State of Tamil Nadu,
Rep. by the Secretary,
Revenue Department,
Fort St. George,
Chennai 600 009.
- 2.The District Collector,
Tiruchi District, Tiruchi.
- 3.The District Revenue Officer,
Tiruchi.
- 4.The Revenue Divisional Officer,
Tiruchi.
- 5.The Tahsildar,
Tiruchi.
- 6.Rajendran
- 7.Pandari

..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents 1 to 5 herein to issue patta to the petitioner for land of an extent of 1.50 acres in old S.No.86, New S.No.331 and 72 cents in S.No.291 in Navalpattu Village, Tiruchi Taluk and District, pursuant to the petitioner's representation dated 25.10.2005.



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For Petitioner : Mrs.R.Meenal
For Respondents : Mr.A.N.Thambidurai, Spl.G.P.
for RR1 to 5
Mr.R.Govindaraj, for RR6 & 7

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus to direct the respondents 1 to 5 to issue patta to the petitioner for the lands measuring an extent of 1.50 acres in old S.No.86, New S.No.331 and 72 cents in S.No.291 in Navalpattu Village, Tiruchi Taluk and District, pursuant to the petitioner's representation dated 25.10.2005.

2. The learned counsel for the petitioner would state that the petitioner's mother Ranganayaki Ammal, purchased the lands in dispute, vide registered sale deed, dated 03.04.1960. Since there was a delay in issuing patta, her mother instituted a suit in O.S.No.44 of 1988 before the First Additional District Munsif Court, Tiruchi against the respondents and the Civil Court passed a decree on 16.08.1988. Despite the decree of the Civil Court, patta was not issued and hence the present Writ Petition has been filed.

3. The learned counsel for the petitioner would submit that it would suffice, if a direction is issued to the Official respondents to consider the representation of the petitioner in a time frame.

4. The learned Standing Counsel for the respondents 1 to 5 would submit that the petitioner's land was originally under the jurisdiction of the Tahsildar, East Tiruchirapalli District and after bifurcation now it comes under Tahsildar, Thiruverumbur. He further submitted that if a fresh representation is given to the concerned officer, he is ready to consider the same and pass orders in accordance with law.

6. The learned counsel for the respondents 6 and 7 would state that the respondents 6 and 7 died during the pendency of the Writ Petition and their legal heirs are not brought on record.

7. Considering the limited scope of the prayer sought for in the Writ Petition and the submissions made by the learned counsels on either side, this Court, without going into the merits of the case, directs the petitioner to give a fresh representation to Tahsildar, Thiruverumbur within a period of four weeks by enclosing the copy of this order. On such



compliance, Tahsildar, Thiruverumbur is directed to consider the said representation and pass appropriate orders on merits and in accordance with law, after providing opportunities to the petitioner and other necessary parties, within a period of twelve weeks therefrom.

8. With the above directions, the Writ Petition is disposed of No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

pvs

To

- 1.The Secretary,
The State of Tamil Nadu,
Revenue Department,
Fort St. George,
Chennai 600 009.
- 2.The District Collector,
Tiruchi District, Tiruchi.
- 3.The District Revenue Officer,
Tiruchi.
- 4.The Revenue Divisional Officer,
Tiruchi.
- 5.The Tahsildar,
Tiruchi.

+1cc to Mr.R.Subramanian Advocate, S.R.No.49325
+1cc to the Government Pleader, S.R.No.49428

SVI (CO)
CB(26/09/2019)

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