IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 27.03.2019

CORAM
THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.33006 of 2018

1.Kasthuri
2.Selvi ...Petitioners

Vs.

1.The District Collector
Collectorate
Ariyalur District
Ariyalur.

2.The Thasildhar
Taluk Office
Jayankondam
Ariyalur Taluk.

3.The Village Administrative Officer
Eddayar Village
Udayarpalayam Taluk
Ariyalur District.

4.Vairam.

5.Manimegalai ...Respondents

*R5 impleaded vide order dated 22.02.2019 made in WMP.No.5942 of 2019 in WP.No.33006 of 2018.

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's representation dated 02.11.2018 and further directing the 2nd respondent to remove the name of the petitioner's mother namely, Manimegalai and 4th respondent in Patta No.3443 and further directing the 2nd respondent to give joint patta in the name of the petitioner to the properties situated in S.No.46/8 to an extent of 40 cents, in Patta No.3443, in Eddayar Village Account, Udayarpalayam Taluk, Ariyalur District.

For Petitioners : Mr.A.Gouthaman

For Respondents : Mr.R.Govindasamy
Special Government Pleader

WEB COPY

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

O R D E R

The petitioners seek for a Mandamus, directing the 2nd respondent to consider their representation dated 02.11.2018, wherein and whereby, they sought to remove the name of the petitioners' mother namely, Manimegalai and 4th respondent in Patta No.3443 and issuance of joint patta in the name of the petitioners to the properties situated in S.No.46/8 measuring an extent of 40 cents, in Patta No.3443, in Eddayar Village Account, Udayarpalayam Taluk, Ariyalur District.

2. It is stated that the petitioner's mother viz., Manimegalai had executed a settlement deed vide Document No.334 of 2018 in favour of the 1st petitioner and another settlement deed vide Document No.1481/2018 in favour of the 2nd petitioner in respect of the property measuring an extent of 22 cents and 18 cents in S.No.46/8 in Eddayar Village Account, Udayarpalayam Taluk, Ariyalur District respectively. It is further stated that the petitioners are in possession and enjoyment of the above said properties. The grievance of the petitioners before this Court is that even though they made a representation dated 02.11.2018 seeking for issuance of joint patta in their favour in respect of the subject matter property, the respondents has not considered the same so far. Hence, the present writ petition is filed with the relief as stated supra.

3. Heard both sides.

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioners, as it is for the 2nd respondent to consider and decide the same on merits and in accordance with law. Accordingly, this Writ Petition is disposed of, only by directing the 2nd respondent to consider the representation of the petitioner dated 02.11.2018 and pass orders on the same on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

mk

To

1.The District Collector
Collectorate
Ariyalur District,Ariyalur.

WEB COPY

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

2.The Thasildhar
  Taluk Office
  Jayankondam
  Ariyalur Taluk.

3.The Village Administrative Officer
  Eddayar Village
  Udayarpalayam Taluk
  Ariyalur District.

+1cc to Mr.A.Gouthaman, Advocate, S.R.No.29897
+1cc to the Government Pleader, S.R.No.29778

W.P.No.33006 of 2018

GT(CO)

RRS(08/05/2019)

WEB COPY

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