



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.06.2019

CORAM

WEB COPY

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.14247 of 2019

R.Kamalanadhan

...Petitioner

-Vs-

1.The Special Tahsildar,
Natham Land Revenue Scheme,
Karur.

2.Narayani Ammal

... Respondents

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the 1st respondent to issue Joint patta vide his proceedings in Na.Kaa.A-A/16/2018 in favour of the legal heirs of Rathina Konar S/o.Iyasamy Konar in respect of a land of an extent of 0.18 Acres comprised in T.S.No.328/pt, New Survey No.1111 situated at Award No.3, Karur Town, Karur District.

For Petitioner : Mr.I.Velpradeep
For Respondents : Mr.P.Kannithevan, AGP

ORDER

The prayer in this writ petition is for a Writ of Mandamus, directing the 1st respondent to issue Joint patta vide his proceedings in Na.Kaa.A-A/16/2018 in favour of the legal heirs of Rathina Konar S/o.Iyasamy Konar in respect of a land of an extent of 0.18 Acres comprised in T.S.No.328/pt, New Survey No.1111 situated at Award No.3, Karur Town, Karur District.

2.Heard Mr.I.Velpradeep, the learned counsel appearing for the petitioner and Mr.P.Kannidevan, learned Additional Government Pleader appearing for the respondents.

3.Though such a prayer was sought for in this writ petition, the learned counsel appearing for the petitioner would submit that, with regard to the said subject matter, the 1st respondent Tahsildar, vide his proceedings Na.Ka.A/16/2018 dated 06.06.2019, directed the parties i.e. the petitioner to appear for an enquiry scheduled to be held on 18.06.2019. When this Court specifically asked that the petitioner appeared on 18.06.2019 pursuant to the notice, the learned counsel is not in a position to tell as to whether the petitioner appeared on the said date or not.



4. Be that as it may, the learned Additional Government Pleader appearing for the respondents would submit that, if both parties appeared on 18.06.2019 as directed by the Tahsildar, based on which, let the Tahsildar decide the issue and if they not appeared, they will give one more chance to the parties i.e. the petitioner to appear and based on which, final decision would be taken.

5. The said stand taken by the learned counsel appearing for the respondent is taken note of by this Court and in view of the same, this Court is inclined to pass the following order, with the consent of both the parties, at the stage of admission itself:

The 1st respondent is hereby directed to consider the plea made by the petitioner and in this regard, if both the parties already appeared for the enquiry on 18.06.2019, based on such enquiry, final order can be passed, otherwise, one more notice can be given to both the petitioner as well as the rival claimants i.e., the 2nd respondent and after hearing them, final order can be passed by the 1st respondent. Needful as indicated above shall be completed, within a period of eight weeks from the date of receipt of a copy of this order."

6. With this direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CrI.Side)

// True Copy //

Sub Assistant Registrar (CS)

To

The Special Tahsildar,
Natham Land Revenue Scheme,
Karur.

+One cc to Mr. I. Velpradeep, Advocate, SR.No.71377
+One cc to The Special Government Pleader, SR.No.71780

RL/4c/2p/15.07.2019

Order made in
W.P. (MD) No.14247 of 2019
Dated:
26.06.2019