



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.7333 of 2019

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Savarimuthu

... Petitioner

Vs

1.The Sub Collector,
Sub Collector's Office,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
Taluk Office,
Paramakudi,
Ramanathapuram District.

3.The Village Administrative Officer,
Venthoni Group,
Paramakudi,
Ramanathapuram District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus by directing the respondents 1 and 2 to direct the third respondent to register the petitioner properties under Crop Insurance Scheme and to facilitate other government schemes, by considering the petitioner's representation dated 25.02.2019.

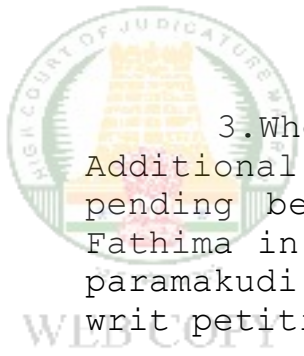
For Petitioner
For Respondents

: Mr.K.Rajeshwaran
: Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

Heard the learned counsel on either side. By consent of both parties, this writ petition is taken up for final disposal at the admission stage itself.

2.The writ petitioner states that the petition mentioned properties belonged to his father and that he executed a Settlement Deed dated 02.02.2015 in his name. The petitioner's father passed away on 12.10.2017 and the patta stands in his name and the petitioner wants the third respondent to register the said properties under Crop Insurance Scheme or other other Government scheme. Since the third respondent declined to do so, the writ petitioner came to be filed.



3. When the matter is taken up for hearing, the learned Additional Government Pleader pointed out that a partition suit is pending between the writ petitioner and his sister viz., Vedha Fathima in O.S.No.12 of 2018 on the file of the Subordinate Court, paramakudi and hence, the respondents are unable to register the writ petitioner's name under any scheme.

4. This Court wanted to know in whose name the revenue records stand. The learned Additional Government Pleader fairly stated that patta is in the name of the writ petitioner only. This Court wanted to know if any injunction has been obtained by the writ petitioner's sister either against the petitioner or against the Government. The answer is in the negative. Therefore, the respondents are bound to abide by the ultimate outcome of the civil litigation instituted by the writ petitioner's sister against him. As on date, they are bound to register the names of the writ petitioner under the Crop Insurance Scheme or any other scheme. This is because the petitioner is having title documents in his name traceable to the Settlement Deed dated 02.02.2015 registered as document No.408 of 2015 on the file of the Sub Registrar, Paramakudi. Accordingly the writ petition stands allowed. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar (CS)

To

1. The Sub Collector,
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3. The Village Administrative Officer,
Venthoni Group,
Paramakudi,
Ramanathapuram District.



+1 CC to M/s.SPL GP (SR-57733[F] dated 29/03/2019)

+1 CC to M/s.K.RAJESHWARAN, Advocate (SR-57866[F] dated 29/03/2019)

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