



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.10.2019

CORAM:

THE HONOURABLE **MR. JUSTICE M. SUNDAR**

W.P (MD) No.21255 of 2019

Rengeswari

... Petitioner

/Vs./

1.The Tahsildar,
Dindigul East Taluk Office,
Natham Road,Dindigul.

2.The Head Surveyor,
Dindigul East Taluk Office,
Natham Road, Dindigul.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondent to subdivide and issue a separate patta in the petitioner's name in respect of property in Survey No.179/2 for an extent of Acre 1.27 cents situated at Rajakkapatti Village, Dindigul Taluk & District within time frame fixed by this Court on the basis of her representation dated 10.09.2019.

For Petitioner : Mr.K.Arunraj

For Respondents : Mr.B.Bhagawathi
Government Advocate

ORDER

Mr.K.Arunraj, learned counsel on record for writ petitioner is before this Court.

2. Mr.B.Bhagawathi, learned Government Advocate, accepts notice on behalf of both the respondents.

3. With consent of learned counsel on both sides, main writ petition is taken up, heard out and is being disposed of.

4. The main writ petition turns on a very narrow compass, as it is one seeking mandamus qua disposal of writ petitioner's representation dated 10.09.2019 wherein writ petitioner has sought for separate patta in her name saying that there is joint patta.



5. Notwithstanding several averments made in the affidavit filed in support of the writ petition, notwithstanding several grounds raised / contentions urged in the affidavit filed in support of instant writ petition, learned counsel for writ petitioner abridges the scope of the writ petition and submits that it will suffice if the first respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 10.09.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the first respondent is the authority who shall consider the aforementioned representation dated 10.09.2019 made by the writ petitioner (page Nos.51 & 52 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 10.09.2019 shall be disposed of by the first respondent on its own merits and in accordance with law as expeditiously as possible and in any event, within a period of eight (8) weeks from the date of receipt of a copy of this order.

8. It is made clear that in the course of the representation being considered by the first respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the first respondent shall give reasonable opportunity to such third party / parties or any other third party entity / entities, before disposing of the aforementioned writ petitioner's representation. Though obvious, it is made clear that this Court has not expressed any opinion or view on the merits of the matter.

9. The proceeding / order of disposal shall be communicated by the office of the first respondent to the writ petitioner under due acknowledgement within seven (7) working days from the completion of aforesaid exercise.

10. Instant Writ Petition is disposed of with the above directions. No costs.

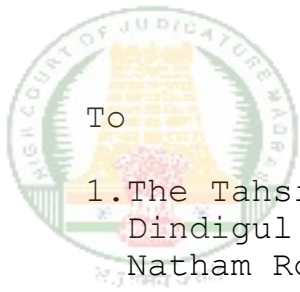
Sd/-

Assistant Registrar (AD-I)

// True Copy //

Sub Assistant Registrar(CS)

rmk



To

1.The Tahsildar,
Dindigul East Taluk Office,
Natham Road, Dindigul.

2.The Head Surveyor,
Dindigul East Taluk Office,
Natham Road, Dindigul.

+1 CC to Mr.K.ARUNRAJ, Advocate SR-91419.
+1 CC to GP SR-91634.

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CS (21.10.2019) 3P 5C