



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.10.2019**

CORAM:

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P (MD)No.22897 of 2019

R.Rahini

... Petitioner

/Vs./

1.The District Collector,
Sivagangai District.

2.The Thasildhar,
Manamadurai Taluk,
Sivagangai District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct 2nd respondent to insert the petitioner's name in the place of her mother's name Rukumani in the joint Patta No.1198 for the land in S.no.266/2C2 in Manamadurai, and then to issue a separate patta to her land measuring 78 cents out of 0.73.0 ares therein, by way of subdivision of the said property after issuing the notice to the other joint holders in the said patta, by disposing petitioner's representation dated 16.08.2019.

For Petitioner : Mr.R.Suriya Narayanan

For Respondents : Mr.K.Mu.Muthu

Additional Government Pleader

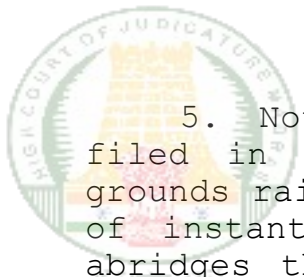
ORDER

Mr.R.Suriya Narayanan, learned counsel on record for writ petitioner is before this Court.

2. Mr.K.Mu.Muthu, learned Additional Government Pleader, 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 16.08.2019 wherein writ petitioner has sought substitution of her name in the place of her mother late.Rukumani in Joint Patta No.1198. To be noted, this is predicated *inter alia* on paragraph No.13(ii) of 'Revenue Standing Orders' 31 ('RSO' for brevity) or in other words 'Board Standing Orders' 31 (BSO' for brevity).



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 second respondent is directed to dispose of the aforementioned representation of the writ petitioner, dated 16.08.2019, details of which have been alluded to supra.

6. Learned State counsel submitted that the second respondent is the authority who shall consider the aforementioned representation dated 16.08.2019 made by the writ petitioner (page Nos.43 to 45 of the typed set of papers forming part of the case file).

7. The aforesaid representation dated 16.08.2019 shall be disposed of by the second 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 second respondent, if the rights of any other third party / parties or any other third party entity / entities is / are likely to be affected, the second 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. The authority concerned shall not embark upon any exercise which is within the domain of civil Court jurisdiction.

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

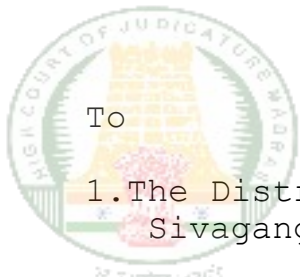
10. Instant Writ Petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

Sub Assistant Registrar(CS)



To

1.The District Collector,
Sivagangai District.

2.The Thasildhar,
Manamadurai Taluk,
Sivagangai District.

+1 CC to Mr.R.SURIYANARAYANAN, Advocate (SR-95035[F] dated
31/10/2019)

Order made in
W.P(MD)No.22897 of 2019
Dated:30.10.2019

SM

MK (11.11.2019) 3P 4C