



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.12.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.S. SUNDAR

W.P.(MD).No.25844 of 2019

WEB COPY

R.Murugesan

.. Petitioner

Vs.

The Tahsildar,
Taluk Office,
Nilakkottai Taluk,
Dindigul District.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondent to issue the patta for the property in S.No.868, 867/3, 867/2, 867/1, 1095/1 under A schedule, S.No.864/1, 864/2, 857/1, 1095/1 under B schedule S.No.864/1, 864/2, 857/1, 1095/1 under C schedule, situated at Batlagund Village, Nilakkottai Taluk, Dindigul District to the petitioner and his brother Kumaresan and another brother Kathiravan's son Roobankumar, based on his representation, dated 27.07.2019 within the time fixed by this Court.

For Petitioner : Mr.T.Selvan

For Respondents : Mr.A.Thiyagarajan
Additional Government Pleader

ORDER

The petitioner has filed this writ petition for issuing a writ of mandamus to direct the respondent to issue patta for the property in different survey fields in favour of the petitioner.

2.The petitioner states that the properties belonged to his father and that his father executed a will in favour of the petitioner and his brothers by name Kumaresan and brother's son by name Ruban Kumar on 03.11.2008. Since the petitioner's father passed away on 29.01.2017, the petitioner claims property right on the basis of the Will. Though the petitioner applied for patta, which was earlier standing in the name of petitioner's father, it is stated that the petitioner's representation was not considered so far. Hence, the petitioner has come forward with this present writ petition.

3.The learned counsel for the petitioner seeks indulgence of this Court to give a direction to the respondents to consider the petitioner's representation, dated 27.07.2019.



4.Having regard to the limited scope of the prayer that is now sought for before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's representation, this Court is inclined to dispose of this writ petition with the following direction.

(i)The respondent is directed to consider the petitioner's representation, dated 27.07.2019 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order by issuing notice to any other person who has interest or a lawful claim based on title.

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

Sd/-

Assistant Registrar (AS)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

TM

To

The Tahsildar,
Taluk Office,
Nilakkottai Taluk,
Dindigul District.

+1 CC to SPL.GP (SR-105558[F] dated 18/12/2019)

+1 CC to MR.T.SELVAN, Advocate (SR-106093[F] dated 19/12/2019)

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