



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2020

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THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.5010 of 2020

S.Ramakrishnan

...Petitioner

Vs.

1.The District Collector,
Dindigul,
Dindigul District.

2.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 2nd respondent to consider the petitioner online application dated 09.01.2020 for issuance of Joint Patta in the name of the petitioner and his brothers' name in respect of the property bearing S.No.721/2A1 situated in Seelapadi Village, Dindigul Taluk and District.

For Petitioner	: Mr.M.Gnanagurunathan
For Respondents	: Mr.P.Kannithevan Additional Government Pleader

ORDER

This writ petition has been filed to direct the 2nd respondent to consider the petitioner's online application dated 09.01.2020 for issuance of joint patta in the name of the petitioner and his brothers' name in respect of the property in S.No.721/2A1 at Seelapadi Village, Dindigul Taluk and District.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3.According to the petitioner, he had submitted an application dated 06.11.2019 to the Zonal Deputy Tahsildar, Dindigul District, for patta transfer in respect of the property in S.Nos.699/2 and 721/2A1. The petitioner's father, namely, Subbaiah and one Andal Ammal, wife of one Gurusamy, the brother of petitioner's father, are joint owners of the said property. After the demise of Subbaiah and Andal Ammal, as per the Hindu Succession Act, the petitioner and his brothers are the only legal heirs of Subbaiah, since Gurusamy and Andal Ammal have no issues. But the 2nd respondent has not considered



the said application dated 06.11.2019 till date and hence, the present writ petition has been filed.

4.The learned Additional Government Pleader would place on record before this Court by stating that the petitioner did not respond to the enquiry and therefore, the enquiry is still pending.

5.In reply, the learned counsel appearing for the petitioner would submit that due to the complete lockdown on account of the COVID-19 pandemic, the petitioner was unable to appear before the authorities concerned. He further undertook that as soon as the lockdown is lifted, the petitioner will appear before the authorities concerned for enquiry, by placing all the relevant documents.

6.By recording the aforesaid submission made by the learned counsel for the petitioner, this Court is inclined to pass the following direction:-

"The petitioner and any other persons interested, if any, shall appear before the 2nd respondent immediately for enquiry, after the lockdown is lifted. Thereafter, the 2nd respondent shall proceed with the enquiry and dispose of the matter on merits and in accordance with law, as expeditiously as possible."

7.This Writ Petition is disposed of, with the above direction. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1.The District Collector,
Dindigul,
Dindigul District.

2.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

W.P. (MD) No.5010 of 2020

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