



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :22.07.2020

CORAM

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.7817 of 2020

R.Muthukamatchi

...Petitioner

Vs

1.The District Collector,
District Collector Office,
Sivagangai District.

2.The District Revenue Officer,
District Collector Office,
Sivagangai District.

3.The Revenue Divisional Officer,
Revenue Divisional Office,
Manamadurai,
Sivagangai District.

4.The Tahsildar,
Tahsildar Office,
Thiruppuvanam,
Sivagangai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the 4th respondent to pass orders on the petitioner's application dated 05/06/2020 for the grant of patta and make revenue mutation in favour of the petitioner's name for the land in Survey No.38/1A2 to an extent of 89 cents at Thirupatchethy, Thiruppuvanam Taluk, Sivagangai District, based on the change of patta proceedings issued by the 4th respondent in VA.Pa.Ma.No.100/2019, dated 19/02/2020.

For Petitioner : Mr.F.Deepak

For Respondents : Mr.R.Sethuraman

Special Government Pleader

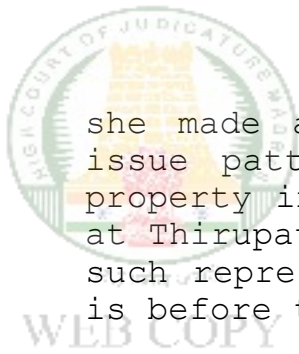
ORDER

This Writ Petition is filed to direct the 4th respondent to pass orders on the petitioner's application dated 05.06.2020 for grant of patta and for making revenue mutation in favour of the petitioner's name for the land in S.No.38/1A2 measuring to an extent of 89 cents situated at Thirupatchethy, Thiruppuvanam Taluk, Sivagangai District.

2.By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

3.According to the petitioner, after the demise of her husband,

<https://hcservices.ecourts.gov.in/hcservices/>



she made a representation dated 05.06.2020 to the respondents to issue patta and to make revenue mutation in her favour for the property in S.No.38/1A2 measuring to an extent of 89 cents situated at Thirupatchethy, Thiruppuvanam Taluk, Sivagangai District. But, on such representation no action has been taken. Hence, the petitioner is before this Court.

4.The learned Special Government Pleader appearing for the respondents would submit that the 4th respondent had inspected the aforesaid property and after conducting enquiry, he found that the petitioner is not in possession and enjoyment of the aforesaid property. However, the petitioner's representation dated 05.06.2020 would be considered on merits and in accordance with law, within a time frame to be fixed by this Court.

5.In reply, the learned counsel appearing for the petitioner would submit that liberty may be given to the petitioner to produce the relevant

documents to establish that the petitioner is in possession and enjoyment of the aforesaid property.

7.In view of the aforesaid submission made by the learned counsel on either side, this Court is inclined to pass the following directions:-

i) the 4th respondent is directed to issue notice to the petitioner and on receipt of such notice, the petitioner is directed to appear before the 4th respondent for enquiry and to place all the relevant documents to workout his remedy;

ii) after conducting enquiry, the 4th respondent is directed to consider the petitioner's representation dated 05.06.2020 on merits and in accordance with law and pass appropriate orders;

iii) the aforesaid exercises shall be completed within a period of 12 weeks from the date of receipt of a copy of this order;

8.With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

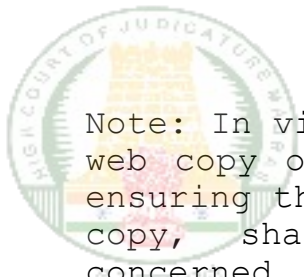
Assistant Registrar (ADII)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

WEB COPY

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KB(29.07.2020) 3P 5C