



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

W.P. (MD) No.8412 of 2020

A.Palaniappan

... Petitioner

Vs.

1.The District Collector,
Pudukottai,
Pudukottai District.

2.The District Revenue Officer,
Pudukottai.

3.The Revenue Divisional Officer,
Thirumayam, Pudukottai District.

4.The Tahsildhar,
Thirumayam, Pudukottai District.

5.The Village Administrative Officer,
Konapet Village,
Thirumayam Taluk,
Pudukottai District

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents 1 to 4 to issue joint patta in the name of the writ petitioner and his brother Chockkalingam for lands in Old.Natham in S.No.107/1 and 107/2 which was later subdivided as New S.Nos.387/1, 387/2, 387/3A, 387/3B, 387/4, 387/5 and 387/6 situated at Konapet Village, Thirumayam Taluk, Pudukottai District by considering the petitioner's representation dated 17.02.2020 and 11.05.2020 within the time fixed by this Court.

For Petitioner

:Mr.AL.Kannan

For Respondents

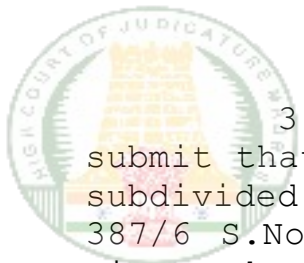
:Mr.P.Kannithevan

Additional Government Pleader

ORDER

The petitioner seeks for a direction to issue joint patta in the petitioner's name and his brother in respect of Natham in S.Nos.387/1, 387/2, 387/3A, 387/3B, 387/4, 387/5 and 387/6 S.Nos.387/1, 387/2, 387/3A, 387/3B, 387/4, 387/5 and 387/6 situated at Konapet Village, Thirumayam Taluk, Pudukottai District

2.Mr.P.Kannithevan, learned Additional Government Pleader takes notice for the respondents. By consent, the writ petition itself is taken up for final disposal.



3. The learned counsel appearing for the petitioner would submit that the land in Survey No.107/1 and 107/2 which was later subdivided as Survey Nos.387/1, 387/2, 387/3A, 387/4, 387/5 and 387/6 S.Nos.387/1, 387/2, 387/3A, 387/3B, 387/4, 387/5 and 387/6 situated at Konapet Village, Thirumayam Taluk, Pudukottai District belongs to the ancestor of the petitioner. In the year 1954, a registered family partition deed vide Doc.No.513/1954 were executed between the family members, in which, the above said properties were allotted to the share of the petitioner's father, petitioner and his brother. After due enquiry and verifying the village revenue records, the Village Administrative Officer, dated 22.10.2016, recommended for granting patta in favour of the petitioner and his brother. Therefore, the petitioner has made a representation on 18.05.2020 to the District Collector, Pudukkottai to mutate the patta and the revenue records, but the District Collector forwarded the same to the Revenue Divisional Officer, Pudukkottai. As there is no order passed by the Revenue Divisional Officer, Pudukkottai till date, the petitioner is before this Court for the aforesaid prayer.

4.The learned Additional Government Pleader submitted that the copy of the representation stated to be forwarded by the District Collector has not been received by the Revenue Divisional Officer. Hence, the petitioner may be directed to send the copy of the representation dated 18.05.2020 to the Revenue Divisional Officer, Pudukkottai and on receipt of such representation, the same will be considered by the third respondent in accordance with law.

5.In the view of the above, the petitioner is directed to submit a copy of the representation dated 18.05.2020 to the Revenue Divisional Officer, Pudukkottai, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the Revenue Divisional Officer, Pudukkottai, shall pass appropriate orders on merits and in accordance with law as expeditiously as possible.

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

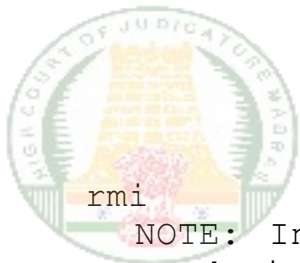
Sd/-

Assistant Registrar ()

// 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

- 1.The District Collector,
Pudukottai,
Pudukottai District.
- 2.The District Revenue Officer,
Pudukottai.
- 3.The Revenue Divisional Officer,
Thirumayam, Pudukottai District.
- 4.The Tahsildhar,
Thirumayam, Pudukottai District.
- 5.The Village Administrative Officer,
Konapet Village,
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