



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE S. VAIDYANATHAN

W.P(MD)No.13073 of 2020

Muthiah Pandi

... Petitioner

Vs.

The Thasildhar, Tenkasi Taluk,
Tenkasi, Tenkasi District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondent to issue joint patta in respect of the punja land measuring 3½ cents out of eastern 41 cents in S.No.889/3 in Kuthukalvalasai Village in Tenkasi Registration District by considering the application of the petitioner dated 27.02.2020.

For Petitioner : Mr.V.Kannan

For respondent : Mr.P. Kannithevan

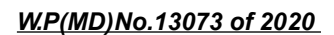
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a direction to the respondent to issue joint patta to the petitioner in respect of the punja land measuring 3½ cents out of eastern 41 cents in S.No.889/3 in Kuthukalvalasai Village in Tenkasi Registration District by considering the application of the petitioner dated 27.02.2020.

2.Heard the learned Counsel appearing for the petitioner and Mr.P.Kannithevan, learned Additional Government Pleader, who took notice for the respondent. By consent, the writ petition is taken up for disposal at the admission stage itself.

3.The learned Counsel appearing for the petitioner submitted that the punja land measuring to an extent of 3½ cents of the eastern 41 cents in Survey No.889/3 in Kuthukkalvalasai Village in Tenkasi Registration District originally belonged to one Ramasamy Thevar, son of Thirumalaikumara Thevar of Kuthukkalvalasai Village, Tenkasi Taluk by inheritance. The said Ramasamy Thevar executed settlement deed dated 29.01.1969 in favour of his sister, namely, Vadivathal, wife of Govinda Thevar of Thalaivankottai Village, Sankarankovil Taluk and in favour of his grand daughter and daughter of his daughter Ramathal and Shanmugiah Thevar, namely, Marithangam, which was registered as document No.445/1969 on the file of the Joint Sub Registrar No.2, Tenkasi. The petitioner's father had purchased the said property for valid consideration from the said Marithangam through a sale deed dated 21.03.1975 executed by her maternal uncle and guardian



4.Considering the facts and circumstances, the respondent is directed to consider the application of the petitioner, dated 27.02.2020 and pass appropriate orders on merits and in accordance with law, after hearing the petitioner and the persons who will likely to be affected. In case of issuance of patta, survey needs to be conducted and the said survey shall be photographed and videographed in the presence of the petitioner and the persons who are likely to be affected and the costs of photograph and Videograph to be borne by the party seeking patta. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this order. It is made clear that this Court has not decided the rights of the parties in the present Writ Petition. It is open to the respondents to decide the same. The directions given in W.P(MD).No.7746 of 2020 batch, dated 23.09.2020 should be followed wherever it is applicable.

Sd/-

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Sub Assistant Registrar (CS)

The Thasildhar,
Tenkasi Taluk, Tenkasi,
Tenkasi District.

W.P (MD) No.13073 of 2020

06.10.2020

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