



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.11.2020

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

WEB COPY W.P. (MD) Nos.15101, 15112, 15114 and 15118 of 2020

Vanitha N.Patel

Through her Power Agent Nathu K.Patel ... Petitioner in all W.Ps.

-Vs-

The Tahsildar,
Trichirapalli (West),
Trichirappalli.

... Respondent in all W.Ps.

COMMON PRAYER: Writ Petitions filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent to issue patta in favour of the petitioner based on the representation dated 11.09.2020 within a stipulated time as fixed by this Court.

For Petitioner	: Mr.S.M.Mohan Gandhi
For Respondent	: Mr.M.Pandiya Rajan Additional Government Pleader. (in W.P. (MD) No.15101 of 2020)
For Respondent	: Mr.M.Muniya Samy, Additional Government Pleader. (in W.P. (MD) Nos.15112 and 15114 of 2020)
For Respondent	: Mr.S.Angappan, Government Advocate. (in W.P. (MD) No.15118 of 2020)

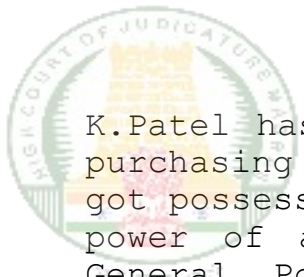
COMMON ORDER

The petitioner has come forward with these Writ Petitions, seeking a direction to the respondent to issue patta in favour of the petitioner based on the representation dated 11.09.2020, within the stipulated time as fixed by this Court.

2.By consent of both parties, these Writ Petitions are taken up for final disposal at the stage of admission itself.

3.Mr.M.Pandiya Rajan, learned Additional Government Pleader accepts notice on behalf of the respondent in W.P.(MD) No.15101 of 2020, Mr.M.Muniya Samy, learned Additional Government Pleader accepts notice on behalf of the respondent in W.P.(MD) Nos.15112 and 15114 of 2020 and Mr.S.Angappan, learned Government Advocate accepts notice on behalf of the respondent in W.P.(MD) No.15118 of 2020.

4.According to the petitioner, her father, namely, Nathu



K.Patel has purchased some lands in various survey numbers. After purchasing the aforesaid lands, the petitioner and her father have got possession of the same. While so, the petitioner has executed a power of attorney in favour of her father through a registered General Power of Attorney bearing Document No.48 of 2016 on 06.04.2016, giving power to deal with the properties and develop the same. However, they did not obtain patta in their name. Therefore, in order to change the patta in the name of the petitioner, her father has given an application on 07.07.2019 to the respondent. However, the respondent has not taken any steps to issue patta in favour of the petitioner. Thereafter, on 11.09.2020, her father has made another representation to issue patta in favour of the petitioner. Though the petitioner is the rightful owner of the aforesaid lands, she has not been issued with patta. Since no efforts have been taken, the petitioner has approached this Court, seeking aforesaid prayer.

5.The learned counsel appearing for the petitioner would submit that the patta has been issued to the petitioner in terms of Section 10 of the Patta Pass Book Act.

6.When the matters are taken up for admission, the learned Additional Government Pleader has produced a communication dated 03.10.2020 issued by the respondent, stating that as the lands in Survey Nos.47/1, 47/2, 47/3, 47/4, 47/5, 47/6 are mentioned as 'Government Punjai Land' in revenue records, the patta cannot be issued.

7.It is needless to mention that this decision can be communicated to the petitioner, so that the petitioner can work out her appeal remedy, if she is aggrieved by the decision. It is open to her to challenge the same by way of appeal. If the appeal is preferred by the petitioner, the appellate authority is expected to decide the same, within a period of 90 days from the date of receipt of the appeal.

8.Accordingly, these Writ Petitions are disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

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Sub Assistant Registrar(CS)



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
The Tahsildar,
Trichirapalli (West),
Trichirappalli.

+1 CC to M/s.GP (SR-21140[F] dated 04/11/2020),21008

+4 CC to M/s.S.M.MOHAN GANDHI, Advocate (SR-20833[F] ,
20834,20835,20836

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