



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2020

CORAM

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD)No.15447 of 2020

Rasathi

... Petitioner

-Vs-

1.The District Collector,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar,
Rameswaram, Rameswaram Taluk,
Ramanathapuram District.

3.Jothi Murugan

... Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, directing the respondents 1 and 2 to issue separate patta to the landed property in the name of the petitioner bearing Survey No.450/8 to an extent of 17 cents based on the sale deed dated 03.10.1989 in Rameswaram Revenue Village, Rameswaram Taluk, Ramanathapuram District.

For Petitioner : Mr.J.M.Hassanul Bazari

For R1 and R2 : Mr.M.Pandiya Rajan,
Additional Government Pleader.

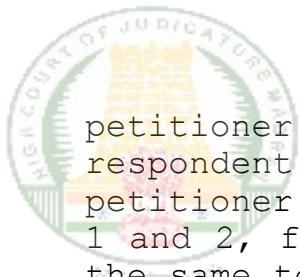
ORDER

The petitioner has come forward with this Writ Petition, seeking a direction to the respondents 1 and 2 to issue separate patta to the landed property in the name of the petitioner bearing Survey No.450/8 to an extent of 17 cents based on the sale deed dated 03.10.1989 in Rameswaram Revenue Village, Rameswaram Taluk, Ramanathapuram District.

2.By consent of both parties, this Writ Petition is 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 respondents 1 and 2. Since no adverse order is going to be passed against the third respondent, notice to him is dispensed with.

4.According to the petitioner, she has purchased the property in Survey No.450/8 to an extent of 17 cents from one Jebamalai Anthony through sale deed dated 03.10.1989 and got patta in her favour from the second respondent. When she decided to settle the property to her sons, she came to know that the patta has been changed in the name of the third respondent, who is the adjacent land owner of the petitioner. Hence, the petitioner has approached the second respondent, who in turn directed the petitioner to get No-Objection Letter from the third respondent. On 16.10.2017, the



petitioner and the third respondent appeared before the second respondent and submitted no objection letter. Thereafter, the petitioner has submitted several representations to the respondents 1 and 2, finally on 16.10.2019. The first respondent has forwarded the same to the second respondent. However, no effective steps have been taken so far. Hence, the petitioner has approached this Court seeking aforesaid prayer.

5. When the matter is taken up for admission, the learned Additional Government Pleader appearing for the respondents 1 and 2 would submit that the request of the petitioner will be considered on merits.

6. In view of the above, this Court directs the second respondent to conduct an enquiry and complete the proceedings, within a period of 90 days from the date of receipt of a copy of this order. The No-Objection Letter of the third respondent dated 21.05.2017, which is enclosed in the typed set of papers, shall also be verified by the second respondent, while final decision is taken.

7. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Myr

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,
Ramanathapuram,
Ramanathapuram District.
2. The Tahsildar,
Rameswaram, Rameswaram Taluk,
Ramanathapuram District.

+1 CC to M/s.SPL GP (SR-21488[F] dated 06/11/2020)

W.P. (MD)No.15447 of 2020

05.11.2020

SSS(CO)

KB(18.11.2020) 2P 4C