



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2020

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THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.16959 of 2020

I.Silvester

...Petitioner

-Vs-

1.The Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

...Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a writ of Mandamus, to direct the second respondent herein to grant separate patta in the name of the petitioner with regard to the properties situated in S.No.242/1B1A1 (Joint Patta No,10102) to an extent of 80 cents and S.No.239/2 (joint Patta No.790) to an extent of 56 cents of Mookaiyur Village, Kadaladi Taluk, Ramanathapuram District by Sub-dividing the same on the basis of the petitioner's representation dated 15.09.2020.

For Petitioner : Mr.M.Sankar

For Respondents : Mr.M.Muniyasamy

Additional Government Pleader

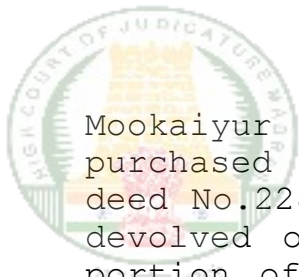
ORDER

This writ petition has been filed to direct the second respondent herein to grant separate patta in the name of the petitioner with regard to the properties situated in S.No.242/1B1A1 (Joint Patta No,10101) to an extent of 80 cents and S.No.239/2 (joint Patta No.790) to an extent of 56 cents of Mookaiyur Village, Kadaladi Taluk, Ramanathapuram District by Sub-dividing the same on the basis of the petitioner's representation dated 25.09.2020.

2. Mr.M.Muniyasamy, learned Additional Government Pleader, accepts notice for the respondents.

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

4. The properties situated in S.No.242/1 to an extent of 1 acre and 80 cents and in S.No.239/2 to an extent of 56 cents of



Mookaiyur Village, Kadaladi Taluk, Ramanathapuram District were purchased by the father of the petitioner on 05.11.1966 vide sale deed No.2286 of 1966. After the death of his parents, the property devolved on the petitioner. Thereafter, the petitioner sold the portion of the property to a third party. Hence, he applied for separate patta. He has also made representations to the respondents seeking separate patta. Since no action has been taken by the respondents, the petitioner has filed the present writ petition with the aforesaid prayer.

5. The learned Additional Government Pleader appearing for the respondents would submit that the sale deed submitted the petitioner was registered in the year 1966 and that the respondents have to ascertain the same to take a decision in this matter.

6. This Court is repeatedly holding that whenever the documents are produced seeking registration or for any other purpose, nothing prevents the Sub Registrar of the Registration Department or any other officials of the Revenue Department to verify the records available with the Sub Registrar Office and to take a decision based on the said documents.

7. Accordingly, this Court directs the respondents to ascertain the veracity of the documents submitted by the petitioner and take a decision thereon, after affording an opportunity to the petitioner, within a period of 120 days from the date of receipt of a copy of this order.

8. In view of the above, this writ petition is dispose of. No costs.

Sd/-

Assistant Registrar (P & A)

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/ /2020

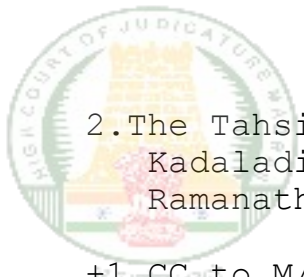
Sub Assistant Registrar(CS)

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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 Revenue Divisional Officer,
Paramakudi,
Ramanathapuram District.



2.The Tahsildar,
Kadaladi Taluk,
Ramanathapuram District.

+1 CC to M/s.GP (SR-23318[F] dated 30/11/2020)

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W.P. (MD) No.16959 of 2020

KG (CO)

KK(14.12.2020) 3P 4C