

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.03.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. No. 18914 of 2011
and M.P. No. 1 of 2011

H.Ramani

.. Petitioner

Vs

1.The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai - 600 009.

2.The Special Commissioner and Commissioner,
For Land Administration,
Ezhilagam, Chennai.

3.The District Collector,
Trichirapalli District.

4.The Commissioner,
Trichirapalli Corporation,
Trichirapalli.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to issue free patta to the petitioner in respect of the premises bearing door No.66/1. Syed Mohamed Rowther Street, Beema Nagar, Trichy - 1, comprised in T.S. No.1/2. Block No.7, Ward J, measuring 732 square meter, as per the petitioner letter dated 02.02.2009 within a time limit to be fixed by this Hon'ble Court.

For Petitioner : Ms. A.L.Ganthimathi

For Respondent 1-3 : Mrs. A.Madhumathi
Special Government Pleader
R- 4 : Mr. P.Srinivasan

O R D E R

This Writ Petition is filed for the issuance of the Writ of Mandamus directing the respondents to issue free patta to the petitioner in respect of a property comprised in T.S. No.1/2. Block No.7, Ward J, measuring 732 Square Meter.

2. During the course of hearing it is brought to the notice of this Court that a separate Writ Petition is also

filed by the petitioner's husband in respect of larger extent of property including the property which is the subject matter of this Writ Petition. It is represented by the learned counsel for the petitioner that the petitioner has independent right over the property. Since the petitioner's husband has filed a Writ Petition before the Madurai Bench of this Court, the Court was inclined to dismiss the same for suppression of material facts. In that event the learned counsel for the petitioner sought for indulgence to permit the petitioner to withdraw the petition with a liberty to file a fresh Writ Petition disclosing all the facts.

3. Accordingly, the petitioner is permitted to withdraw the Writ Petition. However, liberty is given to the petitioner to file an independent Writ Petition disclosing the facts and explaining the reason how an independent Writ Petition could be filed by her when her husband had already filed a Writ Petition in respect of the entire property.

4. This Writ Petition is dismissed as withdrawn. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

//True Copy//

Sub Assistant Registrar

bkn

To

1.The Secretary to Government,
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Fort St. George,
Chennai - 600 009.

2.The Special Commissioner and Commissioner,
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+1cc to the Government Pleader, S.R.No. 19705

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