

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition No.10826 of 2021

S.Sakthi

S/o. Srinivasan @ Srinivasagam

... Petitioner

-Vs-

1 The Tahsildar,
Senthamangalam 637 409.
Senthamangalam Taluk,
Namakkal District.

2 R.A. Manivannan
S/o.Adhimoolam Udayar

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the 1st respondent herein to dispose of the representation dated 09/04/2021 submitted by the petitioner herein seeking issuance of Joint Patta in favour of the legal heirs of late Srinivasa (Alias Srinivasagam) father of the petitioner herein by cancelling the patta No.245 erroneously issued in the name of the 2nd respondent herein on 27.01.2011 in respect of the land comprised in Survey No.176/5D situate in Thoosoor village , Senthamangalam Taluk, Namakkal District belonging to the petitioner and his family members as decreed by the Additional District Munsif Court , Namakkal vide its judgment and decree dated 18/10/2011 passed in O.S.No.54/2011.

For Petitioner : Mr.S.Senthil
For Respondents : Mrs.K.Bhuvaneswari,
Government Advocate
- for R1

O R D E R

(The case has been heard through video conference)

This Writ Petition has been filed seeking a direction directing the 1st respondent herein to dispose of the petitioner's representation dated 09.04.2021 and to issue patta in favour of legal heirs of late Srinivasan alias Srinivasagam father of petitioner.

2. In view of the order is going to be passed in the present Writ Petition, which will not prejudice the interest of the 2nd respondent, notice to the 2nd respondent is dispensed with.

3. The grievance of the petitioner is that, he is the owner of the property in Survey No. 176/5D, situated in Thoosoor Village, Senthamangalam Taluk, Namakkal District and a declaration decree was also passed in his favour in O.S.No. 54 of 2011 on the file of Additional District Munsif Court, Namakkal. Thereafter, the petitioner has submitted a representation dated 09.04.2021 seeking the 1st respondent to cancel the patta issued in the name of 2nd respondent and to issue a joint patta in favour of legal heirs of late Srinivasan (alias Srinivasagam) father of petitioner. So far, his representation was not considered and no order has been passed. Hence, the present Writ Petition has been filed by the petitioner.

4. Considering the limited prayer sought in the present Writ Petition, without going into the merits of the case, the 1st respondent Tahsildar is directed to consider the representation submitted by the petitioner and pass suitable orders on merits in accordance with law after giving opportunity to the petitioner as well as 2nd respondent within a period of eight weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-VII)

//True Copy//

Sub Assistant Registrar

rpp

To

1.The Additional District Munsif Court, Namakkal.

2.The Tahsildar,
Senthamangalam 637 409.
Senthamangalam Taluk,
Namakkal District.

+lcc to Mr.S.Senthil, Advocate, S.R.No. 26501

+lcc to the Government Pleader, S.R.No. 26781

W.P.No.10826 of 2021

KJ(CO)

GN(05/07/2021)