



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.08.2021

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.17823 OF 2019

C.Sarasu

... Petitioner

Versus

The Tahsildar,
Tahsildar Office,
Tiruchengodu,
Nammakkal District.

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 25.03.2019.

For Petitioner : Mr.D.Gopinathan

For Respondent : K.M.D.Muhilan
Government Advocate

O R D E R

This Writ Petition is filed for issuing a Writ of Mandamus, directing the respondent to consider the petitioner's representation dated 25.03.2019.

2. The case of the petitioner is that the properties comprised in Survey Nos.220/3 and 221/3 and New Survey No.221/3A and 3B, Maraparai Village, Tiruchengodu Taluk, Nammakkal District, measuring to an extent 3 acres 33 cents land belongs to her ancestral properties. Subsequently, she was purchased 1 acre 14 cents in Survey No.221/3 measuring to an extent of 2 acres 20 cents in Survey No.221/3A and 221/3B of Maraparai Village, Tiruchengodu Taluk, Nammakkal District. On 14.03.1977, she had purchased 2 acre 22 cents in the aforesaid Survey Numbers vide Sale Deed No.410/1977, dated 14.03.1977 and sale deed No.1579/2002, dated 07.06.2002 registered on the file of SRO, Tiruchengode. Therefore, she has also entitled 4/7th shares in the aforesaid remaining extend of 1 acre 11 cents of property, but all the aforesaid properties are stood in the name of Joint Patta No.815. On 07.02.2019, she has paid a sum of



Rs.320/- to the respondent's bank account towards measuring the aforesaid properties for issuing separate patta in her name, based on the aforesaid sale deeds and her shares. In this regard, the petitioner made a representation to the respondent dated 25.03.2019 for issuing a separate patta to her in respect of the aforesaid properties. After receiving her representation dated 25.03.2019, the District Asst. Director, [Land Survey Department] sent a communication dated 28.03.2019 to the respondent herein to take appropriate action, but the respondent has not taken any action on her representation. Hence, she has come forward with the present writ petition before this Court.

3. The learned counsel appearing for the petitioner submitted that the petitioner will be satisfied if a direction is issued to the respondent herein to consider the petitioner's representation dated 25.03.2019 and dispose of the same within a stipulated time that may be framed by this Court.

4. Having regard to the limited scope of the prayer that is now sought for in this writ petition before this Court and taking into account the submissions made on either side, without expressing any opinion on the merits of the petitioner's representation or the case pleaded by the petitioner in the present writ petition, the Writ Petition is disposed of, with a direction to the 1st respondent to consider the petitioner's representation dated 25.03.2019 and pass appropriate orders, on merits and in accordance with law, after issuing notice to the petitioner and respondents within a period of twelve weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

msm

To

The Tahsildar,
Tahsildar Office, Tiruchengodu,
Nammakkal District.

+1cc to Mr.D.Gopinathan, Advocate, S.R.No.43376
+1cc to the Government Pleader, S.R.No.43660

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BP(CO)
CS/12/10/2021