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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 28.10.2021

CORAM

THE HON'BLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.23151 of 2021

K.Chinnammal

... Petitioner

Vs.

1. The District Collector,
Thiruppur District Collectorate,
Thiruppur - 641 607

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruppur - 641 607

3. The Tahsildar,
Tahsildar Office,
Tiruppur Town - 641 607

... Respondents

Prayer:

Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 24.08.2021 and pass appropriate orders.

For Petitioner : Mr.M.Murugesan

For Respondents : Mr.V.Veluchamy
Government Advocate

O R D E R

With consent on either side, the main Writ Petition itself is taken up for final disposal at the admission stage.



2. The present Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 24.08.2021 and pass appropriate orders.

3. The case of the petitioner is that patta no.80 was issued in the name of one Vaiyaapuri Thevar on 15.12.1927, and thereafter, Patta No.79 was issued to the father-in-law of the petitioner, viz., Palanivel thevar @ Palanniyappa Thevar and after death of her father-in-law on 24.12.1987, the petitioner's husband, viz., Kaaliappa Thevar was in possession of the property and after demise of her husband, the petitioner is in enjoyment of the property. Further, the petitioner's relatives are residing in the said land nearly for a period of 50 years. In spite of producing the house tax receipt and revenue tax receipts by the petitioner, till date, the patta has not been issued to the petitioner, hence the petitioner has given a representation to issue patta in the name of the petitioner on 24.08.2021, however, the same has not been considered, hence the petitioner has come up with the present petition.

4. The learned counsel for the petitioner submits that the petitioner will be satisfied if a direction is issued to the third respondent to consider the petitioner's representation dated 06.10.2021 and dispose of the same within a stipulated time that may be framed by this Court.

5. Mr.V.Veluchamy, learned Government Advocate appearing for the respondents, on instructions from the officer of the respondents/Department submitted that a direction may be issued to the respondents to consider the prayer of the petitioner and sixteen weeks time may also be granted to the respondents to consider the same.

6. 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 2nd and 3rd respondents to consider the petitioner's representation dated 24.08.2021 by holding an enquiry after issuing notice to the parties concerned and if any case is made out by the petitioners, the authorities are directed to pass appropriate orders, on merits and in accordance



with law within a period of sixteen weeks from the date of receipt of a copy of this order. However, it is made clear that this order will not grant any right of title to the petitioner. No costs.

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Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

ssd

To

1. The District Collector,
Thiruppur District Collectorate,
Thiruppur - 641 607
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Tiruppur - 641 607
3. The Tahsildar,
Tahsildar Office,
Tiruppur Town - 641 607

+1cc to Mr.M.Murugesan, Advocate, S.R.No.55731

+1cc to the Government Pleader, S.R.No.56677

W.P.No.23151 of 2021

SSV(CO)
SU(22/11/2021)