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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.10.2021

CORAM:

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.NO.22648 OF 2021

Selvi Natarajan

... Petitioner

Versus

The Tahsildar,
Office of the Tahsildar,
Palladam,
Tiruppur District.

... Respondent

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the respondent to issue patta based up on the petitioner's application dated 17.12.2020 by considering his representation dated 07.09.2021 for the property in Survey No.584/1, measuring about 3092 sq.ft situated at Ganapathypalayam Village, Majara Koundampalayam, Palladam Taluk, Tirupur District.

For Petitioner : Mr.B.Thirumalai

For Respondents : Mr.Yogesh Kannadasan
Government Advocate

O R D E R

This writ petition is filed for the issuance of a writ of mandamus directing the respondent to issue patta based up on the petitioner's application dated 17.12.2020, by considering his representation dated 07.09.2021 for the property in Survey No.584/1, measuring about 3092 sq.ft situated at Ganapathypalayam Village, Majara Koundampalayam, Palladam Taluk, Tirupur District.



2. The case of the petitioner is that on 25.07.2007, one Thangaraj executed a settlement deed in favour of his wife namely Backiyalakshmi measuring about 1742 sq.ft., in Survey No.584/1, situated at Ganapathypalayam Village, Majara Koundampalayam, Palladam Taluk, vide Document No.9524 of 2007, registered before the Sub Registrar Office, Palladam. On 05.11.2008, one T.Muruganantham purchased a property measuring about 1350 sq.ft in Survey No.584/1 situated at Ganapathypalayam Village, Majara Koundampalayam, Palladam, from Palanisamy Gounder, by way of sale deed vide Document No.16319 of 2008 before the Sub-Registrar Office, Palladam. It is stated that the husband of the petitioner purchased the property from Backiyalakshmi and T.Muruganantham by way of two sale deeds; one part measuring about 1350 sq.ft., in Survey No.584/1 by way of sale deed from T.Muruganantham and registered vide Document No.11401 of 2009 before the Sub-Registrar, Palladam. On 05.08.2010, the petitioner's husband purchased another part measuring about 1742 sq.ft, in Survey No.584/1 situated at Ganapathypalayam, Majara Koundampalayam, Palladam Panchayath Union, Palladam from Backiyalakshmi and got registered sale deed in his favour vide Document No.10253 of 2010 before the Sub Registrar, Pallada. After purchasing the aforesaid lands, the petitioner's husband applied for patta before the respondent. It is stated that on 10.07.2012, the respondent issued patta vide Patta No.512. Thereafter, the petitioner's husband executed a sale deed in petitioner's favour on 18.11.2020 vide Document No.13520 of 2020. After obtaining the subject property, the petitioner is in continuous peaceful possession and enjoyment over the subject property. It is stated that the petitioner applied for patta for the said property by way of application dated 17.12.2020 before the respondent. Since the same was not considered, the petitioner sent a detailed representation to the respondent on 08.09.2021. The grievance of the petitioner is that despite receipt of application and representation of the petitioner, no action was taken on the part of the respondent. Hence, this writ petition is filed by the petitioner.

3. Learned Government Advocate appearing for the respondent submitted that this Court may direct the respondent to consider the petitioner's representation and the same may be considered by the respondent.

4. Though the petitioner sought for a larger relief, without expressing any opinion on the merits of the case, this Court directs the respondent to consider the petitioner's representation dated 08.09.2021 and dispose of the same, on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.



5. With the above direction, this writ petition is disposed of. No costs.

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Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

bkn

To

The Tahsildar,
Office of the Tahsildar,
Palladam,
Tiruppur District.

+1cc to Mr.B.Thirumalai, Advocate, S.R.No.54326
+1cc to the Government Pleader, S.R.No.55052

W.P.NO.22648 OF 2021

SMI (CO)
PBS/29/12/2021