



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.7585 of 2021
(Through Video Conference)

WEB COPY

V.Patturaja

...Petitioner

Vs.

1. The District Revenue Officer,
Thoothukudi District,
Thoothukudi.
2. The Revenue Divisional Officer,
Thiruchendur,
Thoothukudi District.
3. The Tahsildar,
Thiruchendur,
Thoothukudi District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 3rd respondent to include the Petitioner's name and his sisters's name Pattukani in the Joint Patta No.1455 with regarding to the petitioner's above said property in Re.Survey No.235/1A situated at Mela Thiruchendur Village, Thiruchendur Taluk, Thoothukudi District by considering his online application dated 28/09/2020 and 22/10/2020 on the basis of the communication dated 14/09/2020 issued by the 3rd respondent.

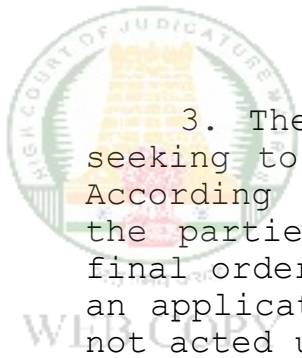
For Petitioner : Mr.J.David Ganesan

For Respondents : Mr.P.Mahendran,
Additional Government Pleader

O R D E R

This writ petition has been filed for the issue of Writ of Mandamus directing the third respondent to consider the on-line application dated 28.09.2020 made by the petitioner, wherein the petitioner is seeking for inclusion of his name and his sister's name in the Joint Patta bearing Patta no.1455.

2. The case of the petitioner is that the subject property originally belonged to his father and his brothers. A portion of the property was sold and the rest of the property was retained by them. The father of the petitioner died on 17.06.1985, leaving behind the petitioner and his sister.



3. The petitioner made an application to the first respondent seeking to add his name and his sister's name in the Joint Patta. According to the petitioner, the third respondent also called all the parties, for an enquiry in the year 2019 and thereafter, no final orders were passed. The petitioner also followed up by filing an application for Patta transfer on 28.09.2020. Since the same was not acted upon, the present writ petition has been filed before this Court.

4. Heard Mr.J.David Ganesan, learned counsel for the petitioner and Mr.P.Mahendran, learned Additional Government Pleader appearing for the respondents.

5. It is seen from the records that even when the enquiry was conducted by the third respondent, notice was issued to the other interest persons, including one Natarajan, S/o Ramasamy. The learned counsel for the petitioner submitted that only after conducting the enquiry, the third respondent directed the petitioner to make an on-line application seeking for addition of his name and his sister's name in the Join Patta. The grievance of the petitioner is that the on-line application has not been acted upon till date.

6. Taking into consideration the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the third respondent to consider the on-line application submitted by the petitioner, after affording an opportunity to the above said Natarajan, S/o Ramasamy and final orders shall be passed, strictly in accordance with law within a period of six(06) weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the third respondent along with all the relevant documents and also a copy of this order.

7. The Writ Petition is disposed of with the above directions. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

NOTE: *In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.*

<https://hcservices.ecourts.gov.in/hcservices/>



STS

To:

1. The District Revenue Officer,
Thoothukudi District,
Thoothukudi.
2. The Revenue Divisional Officer,
Thiruchendur,
Thoothukudi District.
3. The Tahsildar,
Thiruchendur,
Thoothukudi District.

+1 CC to M/s.SPL GP (SR-15450[F] dated 08/04/2021)

+1 CC to M/s.J.DAVID GANESAN, Advocate (SR-15528[F] dated
08/04/2021)

Order made in
W.P. (MD) No.7585 of 2021

Dated:
07.04.2021

GS(19.4.2021) 3P 6C