



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.7700 of 2021

S.Perumalsamy

...Petitioner

Vs.

1. The Revenue Divisional Officer,
Revenue Divisional Office, Sathur,
Virudhunagar District.

2. The Tahsildar,
Taluk Office,
Rajapalayam, Virudhunagar District.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to issue a separate patta in the petitioner's name alone in respect of property in Survey No.317/2, situated at South Venganallur Village, Rajapalayam Taluk, Virudhunagar, based on the petitioner's representation dated 20.01.2020.

For Petitioner

: Mr.G.Rajaraman

For Respondents

: Mr.M.Rajarajan

Additional Government Pleader

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the respondents to consider the representation made by the petitioner on 20.01.2020, wherein, the petitioner has sought for a separate patta in his name with respect to the subject property.

2. The case of the petitioner is that the subject property was originally purchased by the petitioner and his brothers in the year 1967. Thereafter, the share of one of the brothers was transferred in favour of the petitioner by virtue of a registered document in the year 1991. The further case of the petitioner is that he applied for necessary changes in the revenue records and the same was also effected. It is stated that the other brother of the petitioner had alienated his property to the third party in the year 1996.

3. The petitioner made a representation to the respondents seeking for a separate patta in his name with respect to the said properties. On receipt of the representation, the first respondent through a letter dated 07.08.2020 had directed the second respondent to consider the representation and pass orders. The grievance of the petitioner is that the second respondent has not conducted any enquiry and no orders have been passed till date. Left with no other option, the present Writ Petition has been filed before this Court.



4. Heard Mr.G.Rajaraman, learned counsel appearing for the petitioner and Mr.M.Rajarajan, learned Additional Government Pleader appearing for the respondents.

5. 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 second respondent to consider the representation made by the petitioner on 20.01.2020 and deal with the same on its own merits and in accordance with law and pass necessary orders within a period of six weeks from the date of receipt of a copy of this order. If there are any other interested parties claiming right over the subject property, they shall also be issued with notice and an opportunity shall also be given to them.

6. The petitioner is directed to make a fresh representation to the second respondent along with all the relevant documents and also a copy of this order.

7. This Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AS)

// 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.

To

1. The Revenue Divisional Officer,
Revenue Divisional Office, Sathur, Virudhunagar District.

2. The Tahsildar,
Taluk Office,
Rajapalayam, Virudhunagar District.

+1 CC to M/s.G.RAJARAMAN, Advocate (SR-15694[F] dated 09/04/2021)

+1 CC to M/s.SPL GP (SR-15833[F] dated 15/04/2021)

W.P.(MD).No.7700 of 2021

09.04.2021

SSS(CO)

KB(24.04.2021) 2P 5C

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