



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.04.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

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W.P. (MD) .No.8108 of 2021

A.Sakthivel

...Petitioner

Vs.

1.The District Collector,
Dindigul District,
Collectorate,
Dindigul-624 004.

2.The Revenue Divisional Officer,
Dindigul District,
Collectorate,
Dindigul-624 004.

3.The Tahsildar,
Dindigul West,
Taluk Office Road,
Dindigul-624 001.

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to consider and dispose of the petitioner's representation, dated 16.11.2020 and consequently to issue patta in petitioner's name and in the name of his brother Selvaraj in respect of the land to a total extent of 1 Acre and 74 ½ Cents comprised in Western half of village Survey Nos.30/5A1 and 30/5C of Chatrapatti Village, Dindigul West Taluk, Dindigul District within a specific time frame as may be fixed by this Court.

For Petitioner : Mr.B.Rooban

For Respondents : Mr.P.Mahendran

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 16.11.2020, wherein, the petitioner has sought for the issuance of patta in his name and in the name of his brother with respect to the subject property.

2. The case of the petitioner is that the subject property



originally belonged to his mother. The mother of the petitioner purchased the Western half portion of the property. The Eastern portion of the property was purchased by one Ayyanar and therefore, a joint patta was issued in the name of the mother of the petitioner and the said Ayyanar in Patta No.948.

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3. The further case of the petitioner is that the mother died on 20.12.2011, leaving behind the petitioner and his brother, as the legal heirs. According to the petitioner, the names of the petitioner and his brother also got mutated in the revenue records in the place of the deceased mother.

4. The petitioner wanted the property to be sub divided, since the patta presently is in the joint name of the petitioner and his brother and also the above said Ayyanar. Therefore, the petitioner made a representation before the respondents on 16.11.2020 seeking for the survey, sub division and issuance of separate patta in the name of the petitioner and his brother. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

5. Heard Mr.B.Rooban, learned Counsel appearing on behalf of the petitioner and Mr.P.Mahendran, learned Additional Government Pleader appearing on behalf of the respondents.

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 representation made by the petitioner on 16.11.2020 and deal with the same on its own merits and in accordance with law and take a decision, within a period of twelve (12) weeks from the date of receipt of a copy of this order. The third respondent while taking the decision shall also afford an opportunity to the above said Ayyanar in whose name the joint patta stands.

7. 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.

8. The Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

1.The District Collector,
Dindigul District,
Collectorate, Dindigul-624 004.

2.The Revenue Divisional Officer,
Dindigul District,
Collectorate, Dindigul-624 004.

3.The Tahsildar,
Dindigul West,
Taluk Office Road,
Dindigul-624 001.

+1 CC to M/s.SPL GP (SR-16936[F] dated 21/04/2021)

+1 CC to M/s.B.ROOBAN, Advocate (SR-16896[F] dated 21/04/2021)

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.

Order made in
W.P. (MD) .No.8108 of 2021
Dated:
20.04.2021

AS (25.05.2021) 3P 6C