



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) No.8085 of 2021

(Through Video Conference)

T.Kiran

...Petitioner

Vs.

1) The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

2) Mrs.T.Ananthi

.... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to consider the representation of the petitioner dated 19/01/2021 directing the 1st respondent to conduct enquiry for the cancellation of the patta bearing No.3150 issued in the name of 2nd respondent and to issue a fresh patta in favour of all the legal heirs of Late.Thanabalan.

For Petitioner : Mr.Arulvadiivel @Sekar.C

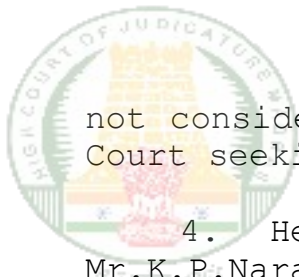
For R-1 : Mr.K.P.Narayanakumar,
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issue of Writ of Mandamus directing the first respondent to conduct an enquiry on the representation made by the petitioner on 19.01.2021 wherein the petitioner is seeking for the cancellation of the Patta granted in the name of the second respondent and in turn to grant a Joint Patta in the name of the petitioner and the second respondent.

2. The case of the petitioner is that the subject property was allotted in favour of his father by virtue of a registered partition deed dated 13.05.2005. The Patta was also issued in his name bearing Patta No.978. The father of the petitioner died intestate on 24.04.2012 leaving the petitioner, his brother and sister and also his mother, who is the second respondent herein.

3. It is stated that the property is in the joint possession and enjoyment of all the legal heirs. However, the Patta has been issued by the first respondent, exclusively in the name of the second respondent. Aggrieved by the same, the petitioner made a representation to the first respondent to modify the order and grant a Joint Patta in the name of all the legal heirs. Since the same was



not considered, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.Arulvadivel @Sekar.C for the petitioner and Mr.K.P.Narayanakumar, learned Special 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 first respondent to consider the representation made by the petitioner on 19.01.2021 and deal with the same on its own merits and in accordance with law after affording an opportunity to the petitioner and to all other interested parties and orders shall be passed within a period of eight (08) weeks from the date of receipt of a copy of this order.

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

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

Sd/-

Assistant Registrar (P & A)

// 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:

The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-16737[F] dated 20/04/2021)

+1 CC to M/s.C.ARUL VADIVEL @ SEKAR, Advocate (SR-16399[F] dated 19/04/2021)

Order made in

W.P. (MD) No.8085 of 2021