



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2021

CORAM:

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P. (MD) No.8210 of 2021

K.Noormohamed

...Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Kumbakonam,
Thanjavur District.

2.The Tahsildar,
Papanasam Taluk Office,
Thanjavur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the 1st respondent to consider the petitioner's representation, dated 18.11.2020 and to issue separate patta to him and his family members regarding the property in SR.No.380/3-A, extent of 23 cent in Soolamangalam-II sethi, Papanasam Taluk, Thanjavur District.

For Petitioner : Mr.A.Senthil Kumar

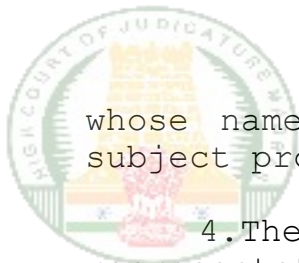
For Respondent : Mr.K.P.Narayanakumar
Special Government Pleader

O R D E R

This writ petition has been filed for the issuance of Writ of Mandamus, directing the first respondent to consider the representation made by the petitioner on 18.11.2020, wherein, the petitioner has sought for issuance of a separate patta in his name and in the name of his family members with respect to the subject property.

2.The case of the petitioner is that the subject property was allotted in favour of his father in a partition suit in O.S.No.35 of 1958. According to the petitioner, the decree that was passed in the partition suit was also registered before the Sub Registrar Office as document No.195/1959. The father of the petitioner died in the year 2012 leaving behind the petitioner and other legal heirs.

3.The petitioner made an application before the second respondent seeking for patta and the same was rejected initially and subsequently, based on another application submitted by the petitioner, the second respondent issued patta No.2242 on 15.11.2020, in the name of the petitioner, his family members and also 7 other persons. According to the petitioner, the 7 persons,



whose names are found in the patta, have no connection with the subject property.

4.The petitioner aggrieved by the same submitted a representation before the first respondent on 18.11.2020, seeking for the patta in the name of the petitioner and his family members and for the removal of the names of the 7 persons found in the patta. Since the same was not acted upon by the first respondent, the present writ petition has been filed before this Court seeking appropriate directions.

5.Heard Mr.A.Senthil Kumar, learned counsel for the petitioner and Mr.K.P.Narayanakumar, learned Special Government Pleader for 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 first respondent to consider the representation made by the petitioner on 18.11.2020 and deal with the same on its own merits and in accordance with law after affording opportunity to the petitioner and the 7 persons, whose names are found in the patta and pass final orders, within a period of twelve weeks from the date of receipt of a copy of this order.

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

8.This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

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,
Kumbakonam,
Thanjavur District.

2.The Tahsildar,
Papanasam Taluk Office,
Thanjavur District.

+1 CC to M/s.SPL GP (SR-16964[F] dated 21/04/2021)

W.P. (MD) No.8210 of 2021
20.04.2021

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