



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.04.2021

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

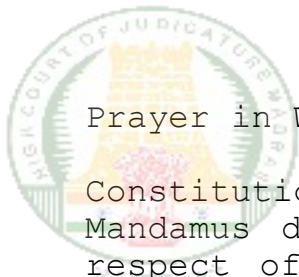
W.P.(MD).Nos.8569 to 8573 and 8576 to 8578 of 2021

Cause title made in W.P.(MD).No.8569 of 2021

Gopal	... Petitioner in WP (MD).8569/2021
	Vs.
Lakshmiyammal	... Petitioner(s) in WP(MD). 8570/ 2021
Vellaichamy	... Petitioner(s) in WP(MD). 8571/ 2021
Ramasamy	... Petitioner(s) in WP(MD). 8573/ 2021
Perumal	... Petitioner(s) in WP(MD). 8576/ 2021
Perumal	... Petitioner(s) in WP(MD). 8577/ 2021
Paramasivam	... Petitioner(s) in WP(MD). 8578/ 2021

1.The Tahsildar, Aruppukottai Taluk, Virudhunagar District.	... Respondents in All WPS
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Prayer: in WP(MD).8569/2021 Writ petition is filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondent to issue patta in favour of the petitioner in respect of the properties allotted to the petitioner's father by name Ponniah Muppar as per the final decree, dated 25.06.1996 made in E.P.No.65 of 2002 in O.S.No.73 of 1989, dated 10.10.1995 passed by the learned District Munsif Court, Aruppukottai.



Prayer in WP(MD). 8570/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondent to issue Patta in my favour in respect of the properties allotted to me as per the final decree dated 25.06.1996 made in E.P.No.65 of 2002 in O.S.No.73 of 1989 dated 10.10.1995 passed by the Learned District Munsif Court, Aruppukottai.

Prayer in WP(MD). 8571/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondent to issue Patta in favour of the petitioner in respect of the properties allotted to the petitioners father Periyasamy as per the final decree dated 25.06.1996 made in E.P.No.65 of 2002 in O.S.No.73 of 1989 dated 10.10.1995 passed by the Learned District Munsif Court, Aruppukottai.

Prayer in WP(MD). 8572/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondent to issue Patta in favour of the petitioner in respect of the properties allotted to the petitioner vide the final decree dated 25.06.1996 made in E.P.No.65 of 2002 in O.S.No.73 of 1989 dated 10.10.1995 passed by the Learned District Munsif Court, Aruppukottai.

Prayer in WP(MD). 8573/ 2021 :

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Prayer in WP(MD). 8576/ 2021 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus directing the respondent to issue Patta in favour of the petitioner in respect of the properties allotted to the petitioners father by name Ramu vide the final decree dated 25.06.1996 made in E.P.No.65 of 2002 in O.S.No.73 of 1989 dated 10.10.1995 passed by the Learned District Munsif Court, Aruppukottai.

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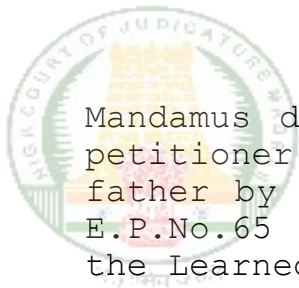
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Mandamus directing the respondent to issue Patta in favour of the petitioner in respect of the properties allotted to the petitioners father by name Ramu vide the final decree dated 25.06.1996 made in E.P.No.65 of 2002 in O.S.No.73 of 1989 dated 10.10.1995 passed by the Learned District Munsif Court, Aruppukottai.

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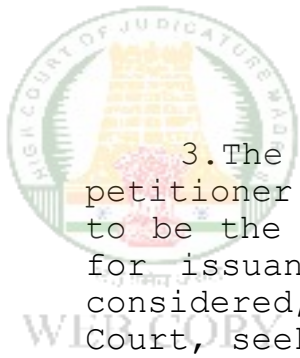
For Petitioners : Mr.I.Velpradeep

For Respondent : Mr.K.P.Narayanakumar
Special Government Pleader
(In all cases)

COMMON ORDER

These writ petitions have been filed for the issue of Writ of Mandamus directing the respondent to consider the representations made by the petitioners, on 09.03.2021, wherein, the petitioners have sought for the issuance of separate patta in their name with respect to the subject property.

2.The case of the petitioners is that the subject property was originally an ancestral property, which subsequently, was partitioned among the legal heirs and the father of the petitioner, which subsequently, became a subject matter of a partition suit in O.S.No.73 of 1989, before the learned District Munsif, Aruppukottai. The father of the petitioner was also one of the party in the said suit. The preliminary decree was passed and a final decree was also passed on 25.06.1996. Subsequently, the shares that were determined was also allotted to the respective sharers. It is further stated that the father of the petitioners also got the share in the property by virtue of the delivery that was effected in the execution proceedings in E.P.No.65 of 2002.



3.The further case of the petitioner is that the father of the petitioner died and hence, all the petitioners, who claim themselves to be the legal heirs, made an application, on 09.03.2021, seeking for issuance of patta in their favour. Since the same was not considered, the present writ petition has been filed before this Court, seeking for appropriate directions.

4.Heard Mr.J.Velpradeep, learned counsel for the petitioner and Mr.K.P.Narayanakumar, learned Special Government Pleader for the respondent.

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 respondent to consider the representation made by the petitioners on 09.03.2021 and deal with the same on its own merits and in accordance with law and pass appropriate orders, within a period of eight weeks from the date of receipt of a copy of this order.

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

7.These writ petitions are disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

To

1.The Tahsildar,
Aruppukottai Taluk,
Virudhunagar District.

+8 CC to M/s.I.VELPRADEEP, Advocate (SR-17686[F] dated 27/04/2021)

+1 CC to M/s.SPL GP (SR-17930[F] dated 28/04/2021)

W.P.(MD).Nos.8569 to 8573
and 8576 to 8578 of 2021

27.04.2021

GS (8.06.2021) 2P 11C