



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.06.2021

CORAM

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

W.P (MD)No.9704 of 2021

WEB COPY

B.Sethuramasamy

... Petitioner

Vs.

- 1.The District Collector,
Sivagangai District,
Sivagangai.
- 2.The District Revenue Officer,
District Collector Office,
Sivagangai.
- 3.The Revenue Divisional Officer,
Devakottai,
Sivagangai District.
- 4.The Tahsildar,
Taluk Office, Thiruppathur,
Sivagangai District.
- 5.The Village Administrative Officer,
T.Vairavanpatti Village,
Sivagangai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to issue joint patta in respect of land in Survey No.77,81/1 and 95/5 measuring 8.44 acre, 2.21 acre and 1.35 acre respectively in vairavan patti village, Thiruppathur Taluk, Sivagangai District and made necessary entries in village adangal based on the order passed in R.P.No.11/8/TRP/58 dated 24.03.1958 and R.P.No.11/9/TPR/58 dated 24.05.1958 respectively on the file of the Court of the Settlement Officer, Sivaganga estate at Madurai within a time frame fixed by this Court.

For Petitioner	: Mr.V.Manikandan
For Respondents	: Mr.P.Thillak Kumar, Standing Counsel for Government

O R D E R

Mr.P.Thilak Kumar, learned Standing Counsel for the Government, accepts notice on behalf of the respondents.



2.By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3.This writ petition has been filed by the petitioner seeking for issuance of a Writ of Mandamus, directing the respondents to issue joint patta in respect of land in Survey No.77,81/1 and 95/5 measuring 8.44 acre, 2.21 acre and 1.35 acre respectively in vairavan patti village, Thiruppathur Taluk, Sivagangai District and made necessary entries in village adangal based on the order passed in R.P.No.11/8/TRP/58 dated 24.03.1958 and R.P.No.11/9/TPR/58 dated 24.05.1958 respectively on the file of the Court of the Settlement Officer, Sivaganga estate at Madurai.

4.The case of the petitioner is that the property which is located at Vairavanpatti, Thiruppathur Taluk, Sivagangai District in Survey Nos.77, measuring 8 acre 44 cents, 81/1 measuring 2 acre 21 cents, 95/5 measuring 1 acre 35 cents, was in possession and enjoyment of the petitioner's great grandfather, Vairavan Ambalam and subsequently his grandfather Ramasamy Thondaman inherited the aforesaid property. The aforesaid lands which falls within Survey Nos.77, 81/1 and 95/5, was wrongly classified as Urani on 01.12.1957. It was challenged by my grandfather before the Court of Settlement Officer, Sivagangai on 24.03.1958 and 24.05.1958 respectively. After demise of the petitioner's grandfather, the property was enjoyment of his father. The patta issued in the name of the petitioner's grandfather was not transferred to his father, despite of his several applications. The petitioner has made application to issue joint patta in respect of land in Survey Nos.77,81/1, 95/5. He also given representation dated 11.12.2020 to the respondents 1 and 2 to provide joint patta for the land and the joint patta has to be given to himself, his brothers and sisters and the same was not considered. The petitioner has again given representation dated 04.02.2021 to the respondents 3 and 4. However, till date no progress has been made on the side of the respondents to issue patta to the petitioner. Hence, the petitioner filed the present Writ Petition.

5.The learned counsel for the petitioner would state that it would be suffice, if a direction is issued to the respondents, to dispose of the representation of the petitioner.

6.The learned standing counsel for the respondents would state that the representation of the petitioner would be considered within a reasonable time.

7.Considering the submissions of the learned counsel for the petitioner as well as the respondents and in the light of the facts and circumstances of the case, without going into the merits of the case projected by the petitioner either in his representation or in this Writ Petition, the respondents are directed to consider the representation of the petitioner dated 11.12.2020 and 04.02.2021, on



merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order

8. With the above direction, the Writ Petition is disposed of.
No Costs.

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Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

Mrn

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 District Collector,
Sivagangai District,
Sivagangai.
2. The District Revenue Officer,
District Collector Office,
Sivagangai.
3. The Revenue Divisional Officer,
Devakottai,
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4. The Tahsildar,
Taluk Office, Thiruppathur,
Sivagangai District.
5. The Village Administrative Officer,
T.Vairavanpatti Village,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-18915[F] dated 07/06/2021)

Order made in
W.P(MD)No.9704 of 2021

04.06.2021

CN(14.06.2021)3P 7C