



BEFORE THE MADURAI BENCH OF MADRAS HIGH Court

DATED: 17.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

WEB COPY

W.P. (MD)No.10217 of 2021
(Through Video Conferencing)

D.Moorthy

... Petitioner

Vs.

1.The Sub Collector

Sub Collector's office,
Trichy Manaparai Road,
Vannankoil
Srirengam
Trichy District.

2.The Tahsildar

Manaparai Taluk
Manaparai
Trichy District

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 2nd respondent to consider and pass appropriate orders on the representation of the petitioner dated 17.11.2020 pending on his file submitted for joint patta and assignment of the land comprised in Survey No.106 bearing Patta No.127 measuring about 4.5 Acres situated at Suliyapatti Village, Manaparai Taluk, Trichy District.

For Petitioner :Mr.B.Prahalad Ravi

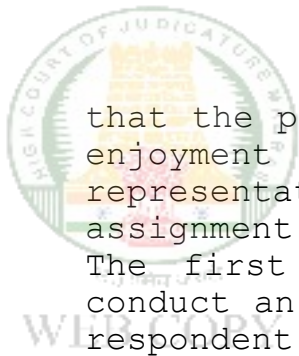
For Respondents :Mr.S.Shanmugavel

Government Counsel (civil)

ORDER

This writ petition has been filed for the issue of a writ of mandamus directing the second respondent to consider the representation made by the petitioner on 17.11.2020, wherein, the petitioner has sought for joint patta and assignment of the subject property in his favour and also in favour of his mother, sisters and brothers.

2.The case of the petitioner is that the subject property was assigned in favour of the father of the petitioner in the year 1973 under the Boothan Scheme. The further case of the petitioner is that his father expired on 02.03.2015 leaving behind the petitioner, his mother, sisters and brothers as his legal heirs. It is stated



that the petitioner and the other legal heirs are in possession and enjoyment of the subject property. The petitioner made a representation to the first respondent seeking for a joint patta and assignment in the name of the petitioner and the other legal heirs. The first respondent in turn directed the second respondent to conduct an enquiry and submit a report in order to enable the first respondent to take a decision.

3. It is stated in the affidavit filed in support of the writ petition that the second respondent conducted an enquiry and a report has also been sent to the first respondent. The grievance of the petitioner is that the first respondent has not acted upon the report and till date, no orders have been passed. Left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

4. Heard the learned counsel for the petitioner and the learned Government counsel appearing on behalf of 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 17.11.2020 along with a report given by the second respondent and pass orders strictly in accordance with law within six 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 along with all relevant documents and also a copy of this order.

7. The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar (CSI)

// 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.



RR
To

1.The Sub Collector
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Trichy Manaparai Road,
Vannankoil
Srirengam
Trichy District.

2.The Tahsildar
Manaparai Taluk
Manaparai
Trichy District

+1 CC to M/s.B.PRAHALADRAVI, Advocate (SR-19492[F] dated 17/06/2021)

+1 CC to M/s.SPL GP (SR-19653[F] dated 18/06/2021)

W.P. (MD)No.10217 of 2021

17.06.2021

GS (25.06.2021) 3P 5C