



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.07.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10960 of 2021

Raju

...Petitioner

Vs.

1. The District Collector,
Karur District, Karur.

2. The Revenue Divisional Officer,
Revenue Divisional Office,
Karur, Karur District.

3. The Tahsildar,
Thanthoni Taluk,
Karur District.

...Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the third respondent to issue the Patta to the petitioner in respect of the properties comprised in 1)T.S.No.2338 to an extent of 1.04 and house site situated at Thanthoni Thirumanilaiyur Village, Karur District, 2)T.S.No.2433 to an extent of 0.81 cents at Karur Town, Town 1st ward, 8th Division, 3) Survey Nos.1856-A, 1866-B, 1880, 93, 94, 95 situated at Block No.48, Thanthoni Village, Karur Town, 4) Survey No.217-A to an extent of 1 Acre 56 cents, Survey No.217-B to an extent of 0.70 cents (Total 2 Acre 26 cents), situated at Thanthoni Village, Karur District, on the basis of the petitioner's representation, dated 21.10.2020, within a time frame to be stipulated by this Court.

For Petitioner : Mr.P.Krishnasamy

For Respondents : Mr.M.Lingadurai
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus, directing the third respondent to consider the representation made by the petitioner on 21.10.2020, wherein, the petitioner is seeking for issuance of patta in his name with respect to the subject properties.



2. The case of the petitioner is that the property was originally owned by his stepfather and he executed a Will in favour of the petitioner on 12.07.1995. The further case of the petitioner is that his stepfather died in the year 1988 and thereafter, the property devolved in favour of the petitioner. Thereafter, the petitioner also filed an application before the competent Civil Court under the Registration of Births and Deaths Act, 1969 and Death Certificate was also issued pursuant to the orders passed by the Court on 02.02.2009.

3. The petitioner made a representation on 21.10.2020 before the respondents seeking for patta in his name with respect to the subject properties. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.P.Krishnasamy, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate 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 third respondent to consider the representation made by the petitioner on 21.10.2020 and deal with the same on its own merits and in accordance with law and pass final orders within a period of eight (8) weeks from the date of receipt of a copy of this order. If there are any other interested parties claiming right over the subject property, they shall also be issued with notice and an opportunity shall also be given to them.

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

7. The Writ Petition stands disposed of with the above directions. No costs.

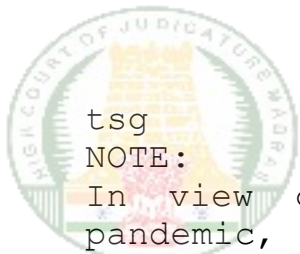
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Assistant Registrar (CS-I)

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/ /2021

Sub Assistant Registrar (CS)



tsg

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,
Karur District, Karur.
2. The Revenue Divisional Officer,
Revenue Divisional Office,
Karur, Karur District.
3. The Tahsildar,
Thanthoni Taluk, Karur District.

+1 CC to SPL GP (SR-21200[F] dated 05/07/2021)

Order made in
W.P. (MD) .No.10960 of 2021
Dated:
02.07.2021

KM(09.07.2021) 3P 5C