



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **07.07.2021**

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11225 of 2021

R.Srinath

... Petitioner

Vs.

1. The District Revenue Officer,
Theni District, Theni.

2. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Theni Revenue Division, Theni.

3. The Tahsildar,
Theni Taluk, Theni.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the third respondent to consider the petitioner's application dated 08.03.2021 with regard to issuance of individual patta in Survey No.62/2H1, extent of land is 0.17.0 Hectares (42 cents) and Survey No.126/1 extent of land is 62 cents of Thenkarai Village, Periakulam Taluk, Theni District, as per Section 5 (2) of the Tamil Nadu Patta Pass Book Act, within stipulated period as fixed by this Court.

For Petitioner
For R-1 to R-3

: Mr.Raja.Karthikeyan
: Mr.M.Lingadurai,
Government Counsel

ORDER

This writ petition has been filed for the issue of a Writ of Mandamus directing the third respondent to consider the application submitted by the petitioner on 08.03.2021, wherein, the petitioner has sought for issuance of an individual patta in his name.

2. The case of the petitioner is that the subject property was earlier granted a joint patta. Thereafter, a settlement deed was executed in favour of the petitioner through a registered document, dated 08.09.2016. It is also stated that there is a Judgment in favour of the father of the petitioner, which was confirmed in A.S.No.16 of 2017. Pursuant to the execution of the settlement deed in favour of the petitioner, the petitioner made an application before the third respondent seeking for the issuance of an individual patta in his name. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.

3. Heard Mr.Raja.Karthikeyan, learned counsel appearing for



the petitioner and Mr.M.Lingadurai, learned Government counsel appearing on behalf of the respondents 1 to 3.

4. 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 08.03.2021 and deal with the same on its own merits and in accordance with law and pass appropriate orders within a period of six (6) 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.

5. 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.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /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 Revenue Officer,
Theni District, Theni.
2. The Revenue Divisional Officer,
O/o. The Revenue Divisional Office,
Theni Revenue Division, Theni.
3. The Tahsildar,
Theni Taluk, Theni.

+1 CC to M/s.SPL GP (SR-21729[F] dated 08/07/2021)

W.P. (MD) .No.11225 of 2021

Dated :07.07.2021