



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.07.2021

CORAM:

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.11514 of 2021

WEB COPY

V.Sadhasivam

... Petitioner

Vs.

1. The Tahsildar,
Tahsildar Office,
Sankarankovil Taluk,
Tenkasi District.

2.Chinnasamy

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the 1st respondent to remove the father name of 2nd respondent in patta No.160 based on the petitioner's representation, dated 17.06.2019.

For Petitioner

: Mr.A.Robinson

For R1

: Mr.M.Lingadurai
Government Advocate

ORDER

This Writ Petition has been filed for the issue of a Writ of Mandamus directing the first respondent to consider the representation made by the petitioner on 17.06.2019, wherein, the petitioner is seeking for the removal of the name of the father of the second respondent from the patta that has been issued with respect to the subject property.

2. The case of the petitioner is that the subject property is an ancestral property and it was inherited by the petitioner and his father. The further case of the petitioner is that the patta that was issued by the first respondent in Patta No.160 stands in the name of the petitioner and his father. The grievance of the petitioner is that the name of the second respondent's father was also included in the patta and according to the petitioner, he does not have any right or title over the property.

3. The petitioner, therefore, made a representation to the first respondent on 17.06.2019 to remove the name of the second respondent's father from the patta. Since the same was not considered, the present Writ Petition has been filed before this Court seeking for appropriate directions.



4. Heard Mr.A.Robinson, learned counsel appearing for the petitioner and Mr.M.Lingadurai, learned Government Advocate appearing for the first 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 first respondent to consider the representation made by the petitioner on 17.06.2019, by giving opportunity to the petitioner and the second respondent and deal with the same on its own merits and in accordance with law and pass final orders within a period of six (6) 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 the relevant documents and also a copy of this order.

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

Sd/-

Assistant Registrar (CS I)

// 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

The Tahsildar,
Tahsildar Office,
Sankarankovil Taluk,
Tenkasi District.

+1 CC to M/s.A.ROBINSON, Advocate (SR-22192[F] dated 12/07/2021)

+1 CC to M/s.SPL GP (SR-22308[F] dated 13/07/2021)

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RC (19.07.2021) 2P-4C

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