



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **23.07.2021**

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD).No.12439 of 2021

Revathi ... Petitioner

Vs.

1.The District Collector,
Thanjavur District,
Thanjavur.

2.The Sub Collector,
Pattukkottai,
Thanjavur District.

3.The Tahsildar,
Taluk Office,
Peravoorani Taluk,
Thanjavur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, for the issuance of Writ of Mandamus, directing the respondents herein to grant patta to the petitioner for Survey No.335/10 (Old Survey No.255/1) measuring 0.01.0 Ares and Survey No.335/12 measuring 0.01.0 Ares situated in Periyamayagipuram Village, Peravoorani Taluk, Thanjavur District, as per the representation of petitioner dated 05.11.2020.

For Petitioner

: Mr.C.Padmaraj

For Respondents

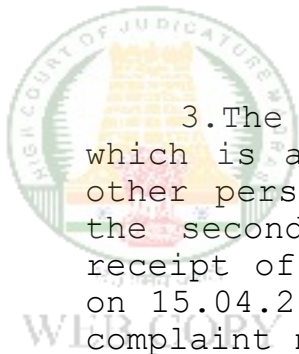
: Mr.R.Suresh Kumar

Government Advocate

ORDER

This Writ Petition has been filed for issuance of Writ of Mandamus, directing the third respondent to act upon the representation made by the petitioner on 05.11.2020, wherein the petitioner is seeking for issuance of patta in her name.

2.The case of the petitioner is that the subject property was allotted in her favour by virtue of a registered partition deed dated 12.12.1975. The further case of the petitioner is that this property has been illegally assigned by the third respondent in favour of the private parties and free patta has also been issued in Patta Nos.842 and 843. According to the petitioner, this was done without putting the petitioner on notice and behind her back.



3.The grievance of the petitioner is that the subject property which is a private patta land has been assigned in favour of some other persons. Therefore, the petitioner made a representation to the second respondent on 05.03.2020. The second respondent, on receipt of the same, issued a communication to the third respondent on 15.04.2020 and directed the third respondent to enquire into the complaint made by the petitioner. Since there was no response, the petitioner made one more representation on 05.11.2020. This representation also did not evoke any response. Left with no other alternative, the present writ petition has been filed before this Court seeking for appropriate directions.

4.Heard Mr.C.Padmaraj, learned counsel for the petitioner and Mr.R.Suresh Kumar, learned Government Advocate 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 act upon the representation made by the petitioner on 05.11.2020 and deal with the same, on its own merits and in accordance with law and pass final orders, within a period of six weeks from the date of receipt of a copy of this order. The third respondent shall issue notice to other interested parties also and give them opportunity before taking a final decision.

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.In the result, the Writ Petition stands disposed of with the above directions. No costs.

Sd/-

Assistant Registrar (AD II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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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,
Thanjavur District,
Thanjavur.

2.The Sub Collector,
Pattukkottai,
Thanjavur District.

3.The Tahsildar,
Taluk Office,
Peravoorani Taluk,
Thanjavur District.

+1 CC to MR.C.PADMARAJ, Advocate (SR-23852[F] dated 26/07/2021)

+1 CC to M/s.GP (SR-23890[F] dated 26/07/2021)

W.P.(MD).No.12439 of 2021

Dated :

23.07.2021

MGJ(03.08.2021) 3P 6C