



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.08.2021

CORAM:

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P (MD)No.14113 of 2021

WEB COPY

V.Karupiah

... Petitioner

versus

1.The Revenue Divisional Officer,
Palani Revenue,
Palani,
Dindigul District.

2.The Thasildar,
Vedasendur Taluk,
Dindigul District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Mandamus, to direct the second respondent to conduct enquiry and issue separate patta under patta pass book Act based on the representation dated 22.07.2021 within a time frame as stipulated by this Court.

For Petitioner : Mr.Sarvagan Prabhu

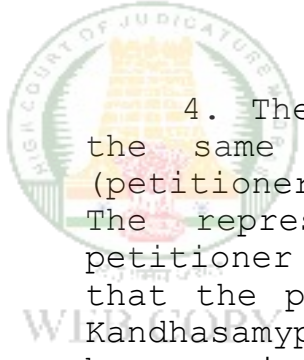
For Respondents : Mr.R.Baskaran
Counsel for State

O R D E R

The petitioner seeks a separate patta based on his representation dated 22.07.2021.

2. The petitioner states that a joint patta was issued under patta No.109 with regard to the property bearing survey No.712/1 at Baganatham Village, Vedasanthur Taluk, Dindigul District. Apart from the petitioner and his brothers, such patta also indicates the name of the adjacent land owner, namely Kandhasampillai. The petitioner also states that there is no dispute either between the brothers or between his family and the said Kandhasampillai. In these circumstances, the petitioner submitted a representation dated 22.07.2021 for issuance of a separate patta in the names of his family members. On account of the non-disposal of such representation, the present writ petition is filed.

3. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the Thasildar may be directed to consider and dispose of the representation of the petitioner on merits.



4. The petitioner has produced a copy of the joint patta and the same reflects the names of Kandhasamy Pillai, Karuppiyah (petitioner herein), Palani Samy, Shanmugam, Subramani and Arumugam. The representation dated 22.07.2021 has been issued by the petitioner and all his siblings. It is also stated in the affidavit that the petitioner has no objection to the issuance of notice to Kandhasampillai before the matter is decided. As such, there should be no impediment for the consideration and disposal of the petitioner's representation.

5. Accordingly, without going into the merits of the matter, the second respondent herein is directed to consider the petitioner's representation dated 22.07.2021 for issuance of a separate patta, conduct an inquiry in connection therewith by putting all the joint pattathars on notice and thereafter take a reasoned decision within a period of three months from the date of receipt of a copy of this order.

6. W.P.(MD).No.14113 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sbn

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 Revenue Divisional Officer,
Palani Revenue, Palani, Dindigul District.

2.The Thasildar,
Vedasendur Taluk, Dindigul District.

+1 CC to M/s.S.SARVAGAN PRABHU, Advocate (SR-26210[F] dated 13/08/2021)

+1 CC to M/s.GP (SR-26234[F] dated 13/08/2021)

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12.08.2021

RD(24.08.2021) 2P 5C

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