



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.14484 of 2021

Mumtaj Begum

... Petitioner

Vs.

1. The Thasildhar
Thiruvidadaimaruthur Taluk,
Thanjavur District.
2. The Executive Officer,
Aduthurai Panchayat,
Thiruvadaimaruthur Taluk,
Thanjavur District.
3. The Revenue Inspector,
Maruthavakudi Village,
Aduthurai,
Thiruvadaimaruthur Taluk,
Thanjavur District.
4. The Village Administrative Office,
Maruthuvakudi, Aduthurai,
Thiruvidadaimaruthur Taluk,
Thanjavur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to issue patta in the name of the petitioner to the property comprised in Sur.No.120/1, situated No.60/33, South Seniyar Street, Maruthuvakudi Village, Aduthurai, Thiruvidadaimaruthur Taluk, Thanjavur District.

For Petitioner : Mr.A.Selvakumar
For Respondents : Mr.R.Baskaran,
Counsel for State for R1, R3 & R4.
Mr.K.S.Selvaganesan,
Counsel for State for R2.

ORDER

The petitioner seeks a patta in respect of the property bearing Survey No.120/1 at South Seniyar Street, Maruthuvakudi Village, Aduthurai, Thiruvidadaimaruthur Taluk, Thanjavur District.

2. The petitioner claims that she is a widow and is in possession and enjoyment of the property described above. The petitioner claims that the said land is classified as natham and that she has planted banana plants thereon.



3. In spite of there being no adverse claim in respect of such property, she states that patta has not been issued to her despite submitting two representations to the respondents herein. The present Writ Petition is filed in these facts and circumstances.

4. Mr.R.Baskaran, learned counsel for the State, accepts notice on behalf of respondents 1, 3 and 4. Mr.K.S.Selvaganesan, learned counsel for the State, accepts notice on behalf of the second respondent. Mr.R.Baskaran, learned counsel for the State, submits that the representation may be considered and disposed of on merits.

5.While the petitioner claims that the property is classified as natham, the correct classification as per the relevant revenue records would have to be examined by the Tahsildar. In addition, the petitioner's entitlement to a natham patta would also have to be examined by taking into account the applicable terms and conditions under the relevant Government Scheme.

6. Subject to the above observations but without going into the merits of the matter, the first respondent herein is directed to consider the petitioner's representation for issuance of a patta and dispose of the same by a reasoned order within a period of three (3) months from the date of receipt of a copy of this order. Such reasoned order shall be passed after providing a reasonable opportunity to the petitioner.

7. W.P.(MD).No.14484 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Cr1)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

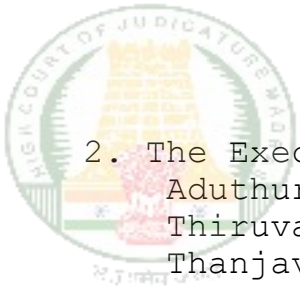
tsg

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 Thasildhar
Thiruvidaimaruthur Taluk,
Thanjavur District.

<https://hcservices.ecourts.gov.in/hcservices/>



2. The Executive Officer,
Aduthurai Panchayat,
Thiruvadaimaruthur Taluk,
Thanjavur District.

WEB COPY

3. The Revenue Inspector,
Maruthavakudi Village,
Aduthurai,
Thiruvadaimaruthur Taluk,
Thanjavur District.

4. The Village Administrative Office,
Maruthuvakudi, Aduthurai,
Thiruvadaimaruthur Taluk,
Thanjavur District.

+1 CC to M/s.GP (SR-26752[F] dated 19/08/2021)

W.P (MD) No.14484 of 2021
17.08.2021

RK (25.08.2021) 3P 6C