



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 23.08.2021

CORAM

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P (MD) No.14799 of 2021

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R.Selvi

... Petitioner

Vs.

1. The Revenue Divisional officer,
Office of the Revenue Divisional Officer,
Dindigul.

2.The Tahsildar,
Office of the Tahsildar,
Natham, Dindigul 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 first respondent herein to issue joint patta to the petitioner and other legal heirs on the basis enquiry conducted on the basis of representation dated 07.06.2021 within the time stipulated by this Court.

For Petitioner	:	Mr.B.Jameel Arasu
For Respondents	:	Mr.R.Baskaran, Counsel for State

ORDER

The petitioner seeks a joint patta in favour of himself and other legal heirs on the basis of his representation dated 07.06.2021.

2. The petitioner traces title to the property bearing New Survey No.338/3-H Old Survey No.338/3 Punnapaatti Village, Natham Taluk, Dindigul District, through his paternal great grandfather, namely, Alagiri Gounder. According to the petitioner, one Mr.Ayannan and the petitioner have equal rights and share in the aforesaid property. However, such Ayannan executed a registered Will dated 27.04.2009, whereby he bequeathed the entire property in favour of his son. Aggrieved by the aforesaid action of the said Ayannan, the petitioner lodged a police complaint and also submitted an application to the first respondent for issuance of a joint patta. It is stated that an inquiry notice was issued upon receipt of the petitioner's application for joint patta. The present writ petition is filed for the expeditious conclusion of such inquiry.



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

4. The facts set out above indicate that there is a dispute between the petitioner and the said Mr.Ayannan in relation to the property. It also appears that an inquiry has already been instituted in respect thereof. Accordingly, the first respondent should conclude such inquiry expeditiously.

5. In the aforesaid facts and circumstances but without going into the merits of the matter, the first respondent herein is directed to consider the petitioner's representation dated 07.06.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner, Mr.Ayannan and any other person who would be affected by such decision. Such reasoned order shall be issued within three (3) months from the date of receipt of a copy of this order.

6. W.P.(MD).No.14779 of 2021 is disposed on these terms without any order as to costs.

Sd/-

Assistant Registrar (T&P)

// 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 Revenue Divisional officer,
Office of the Revenue Divisional Officer,
Dindigul.

2.The Tahsildar,
Office of the Tahsildar,
Natham, Dindigul District.



+1 CC to M/s.SPL GP (SR-27159[F] dated 25/08/2021)

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W.P (MD) No.14799 of 2021
23.08.2021

SJ(CO)
SB(31.08.2021) 3P 4C