



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.16627 of 2021

WEB COPY

- 1.Mohammed Iqbal
- 2.Pathamuthu
- 3.Umalbegam
- 4.Shiek Dawood
- 5.Rajamohammed
- 6.Shahul Hammed
- 7.Ibrahim
- 8.Ramjan Beevi
- 9.Mathina Beevi

... Petitioners

Vs.

- 1.The District Collector,
O/o. Collectorate Office,
Ramanathapuram,
Ramanathapuram District.
- 2.The Tahsildar,
O/o.Tahsildar Office,
Paramakudi,
Ramanathapuram District.

... Respondents

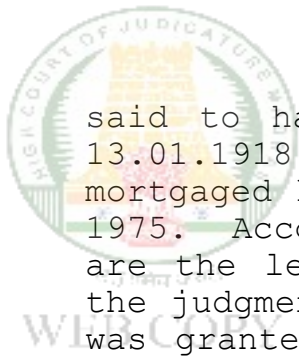
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the second respondent to issue joint patta in the name of the petitioners and transfer our name in the revenue records for the land in Survey Nos.68/2 and 68/3 to an extent of 3 Acre 64 cents in Venthoni Village, Paramakudi Sub Division (Taluk), Ramanathapuram District.

For Petitioner : Mr.T.Balarathinakumar
For Respondents : Mr.P.Subbaraj
Counsel for State.

ORDER

The petitioners seek a direction to the second respondent for issuance of a joint patta in their names and for rectification of the relevant revenue records relating to Survey Nos.68/2 and 68/3 of an extent of 3 Acres 64 Cents in Venthoni Village, Paramakudi Sub Division (Taluk), Ramanathapuram District.

2. The petitioners trace title to the above mentioned property through their grandfather, namely, Mohammed Meera, who is



said to have purchased the same under a registered sale deed on 13.01.1918. Thereafter, it is stated that the property was mortgaged by one Allah Pitchai and Asan to one Lakshmi in the year 1975. According to the petitioners, the said Allah Pitchai and Asan are the legal heirs of Mohammed Meera. The petitioners rely upon the judgment and decree in O.S.No.48 of 2011 by which a declaration was granted as regards their title to the property bearing Survey No.68/2. They also rely upon the judgment and decree in A.S.No.47/2018 and contend that by virtue of the said judgment and decree, their title to both Survey Nos.68/2 and 68/3 was upheld by the Court. It is pointed out that the jurisdictional Tahsildar was a party to the above mentioned proceedings. The petitioners have submitted representations dated 18.08.2021 and 27.08.2021 and have filed the present Writ Petition in view of the alleged failure of the authorities to take action thereon.

3. Mr.P.Subbaraj, learned Counsel for the State, accepts notice on behalf of both the respondents. He submits that the State was heard before the judgment and decree in O.S.No.48 of 2011 and A.S.No.47 of 2018 were issued.

4. The petitioners have enclosed a copy of the judgment and decree in O.S.No.48 of 2011 and A.S.No.47 of 2018. A copy of the patta mutation order is enclosed. Such documents contain the names of Mohammed Iqbal and Mohammed Ali Jinnah. On the basis of these documents, the petitioners are entitled to the consideration of the representation for issuance of joint patta.

5. Accordingly, without going into the merits of the matter, the second respondent herein is directed to consider the petitioners' request for issuance of a joint patta and for rectification of the relevant revenue records. Such representation shall be considered and disposed of by way of a reasoned order within a period of three (3) months from the date of receipt of a copy of this order. Before issuing such reasoned order, the second respondent is directed to provide a reasonable opportunity to the petitioners and to the respondents in A.S.No.47 of 2018.

6. W.P.(MD).No.16627 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-II)

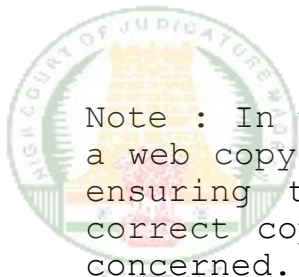
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/ /2021

Sub Assistant Registrar(CS)

tsg/nsr

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



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.

WEB COPY

To

1.The District Collector,
O/o. Collectorate Office,
Ramanathapuram,
Ramanathapuram District.

2.The Tahsildar,
O/o.Tahsildar Office,
Paramakudi,
Ramanathapuram District.

+2 CC to M/s.T.BALA RATHINA KUMAR, Advocate (SR-29895[F]
dated 22/09/2021)

+1 CC to M/s.SPL. GP (SR-29582[F] dated 20/09/2021)

**W.P (MD) No.16627 of 2021
17.09.2021**

GC (27.09.2021) 3P 6C