



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.09.2021

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THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.16038 of 2021

R.Subbulakshmi

... Petitioner

Vs.

1.The District Collector
Madurai

2.The Thasildar
Thiruparankundram Taluk
Madurai District

... Respondents

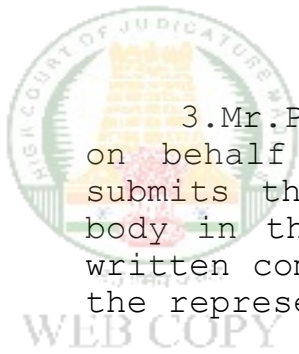
Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Second respondent to issue patta in the names of the petitioner and her two children, son and daughter by considering the representation of the petitioner dated 26.07.2021.

For Petitioner	:	Mr.P.Paranthaman
For Respondents	:	Mr.P.Subbaraj Counsel for the State

ORDER

The petitioner seeks a mutation of the patta in terms of Section 10 of the Patta Passbook Act, 1983.

2. According to the petitioner, the property bearing survey No. 428/1 of Thiruparankundram Village originally belonged to three persons, namely, S.Velu, V.Arumugam, A.Rajendran. The patta bearing No.1172 was issued on 21.05.1997 to the said three persons. The petitioner states that A.Rajendran, who is her late husband, purchased the property from A.Velu and V.Arumugam in the year 1998 under registered sale deed dated 07.12.1988. On such basis, it is stated that A.Rajendran became the sole owner of the relevant property. Upon his death on 25.09.2012, the petitioner obtained both the death certificate and legal heir certificate and the only legal heirs are the petitioner and her children. The petitioner submitted a representation on 26.07.2021 to the second respondent seeking a mutation of the relevant patta. The present writ petition is filed on account of the alleged failure of the respondent to take action thereon.



3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. On written instructions, he submits that the relevant survey number is classified as a water body in the relevant revenue records. Therefore, he states that a written communication would be sent to the petitioner in response to the representation dated 26.07.2021.

4. In the aforesaid facts and circumstances, W.P.(MD).No16038 of 2021 is disposed of by directing the second respondent to consider the petitioner's representation dated 26.07.2021 and pass a reasoned order thereon in accordance with law within a period of 30 days from the date of receipt of a copy of this order. There will be no order as to costs.

Sd/-

Assistant Registrar (Records)

// 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 District Collector
Madurai

2.The Thasildar
Thiruparankundram Taluk
Madurai District

+1 CC to M/s.SPL GP (SR-28696[F] dated 09/09/2021)

+1 CC to M/s.P.PARANTHAMAN, Advocate (SR-28652[F] dated 09/09/2021)

W.P(MD).No.16038 of 2021
08.09.2021

NSN(CO)
KB(16.09.2021) 2P 5C