



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.09.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P.(MD)No.16066 of 2021

WEB COPY

- 1.R.Subramanian
- 2.s.Saravanan
- 3.S.Latha Devi
- 4.S.Bhuvaneswari
- 5.S.Kavitha

... Petitioners

Vs.

1. The District Collector,
Madurai District,
Collectorate Campus,
Madurai - 20.
2. The Revenue Divisional Officer (East),
O/o. the Revenue Divisional Office, East,
Y.Othakadai, Madurai.
3. The Tahsildar,
East Taluk, Y.othakadai,
Madurai.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to consider petitioners representation dated 12.07.2021 and to issue joint patta in favour of the petitioners within a stipulated time.

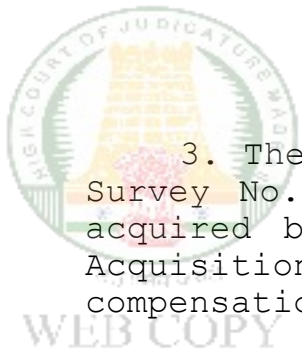
For Petitioner : Mr.Murugesan

For Respondents : Mr.P.Subbaraj,
Counsel for State

O R D E R

The petitioners seek the consideration of the representation dated 12.07.2021 for issuance of a joint patta.

2. The petitioners state that the mother of the petitioners 2 to 4 and the wife of the first petitioner purchased the property bearing R.S.No.276/8 of an extent of 68 cents and the property bearing R.S.No.276/9 of an extent of 17 cents on 17.07.1978. It is stated that the said owner of the property expired on 10.02.1988 and that the petitioners have succeeded to her estate as her legal heirs.



3. The petitioners also state that an extent of 28 cents in old Survey No.276/8 and an extent of 2 cents in Survey No.276/9 were acquired by proceedings initiated by the Special Tahsildar, Land Acquisition, Madurai East. Pursuant thereto, it is stated that the compensation in respect of such extents was received.

4. The petitioners submitted a petition to the Revenue Divisional Officer, Madurai East on 12.07.2021, seeking issuance of a joint patta in respect of the remaining extents of land in Survey Nos.41/8 and 41/9, which had been further sub-divided into Survey Nos.41/8B and 41/9A. The present writ petition is filed in view of the alleged failure to take action on such representation.

5. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioners representation may be directed to be considered and disposed of on merits.

6. The petitioners have enclosed the sale deed under which the late Krishnaveni purchased the property on 17.07.1978. Her death certificate and legal heirship certificate have also been enclosed. As such the petitioners have made out a case for the consideration of the representation.

7. Accordingly, without going into the merits of the matter, the third respondent is directed to consider the petitioners representation dated 12.07.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioners and any other persons who would be affected by such decision. Such reasoned order shall be issued within a period of three months from the date of receipt of a copy of this order. The petitioners are directed to enclose a copy of the above mentioned representation along with the copy of this order and forward the same to the third respondent herein for initiating action in terms of this order.

8. W.P(MD).No.16066 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



To

1. The District Collector,
Madurai District,
Collectorate Campus,
Madurai - 20.

2. The Revenue Divisional Officer (East),
O/o. the Revenue Divisional Office, East,
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3. The Tahsildar,
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+1 CC to M/s.GP (SR-28702[F] dated 09/09/2021)

+1 CC to M/s.N.MURUGESAN, Advocate (SR-28632[F] dated 09/09/2021)

W.P. (MD) No.16066 of 2021
08.09.2021

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