



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.15765 of 2021

WEB COPY

Gutalingam

... Petitioner

Vs.

1.The District Collector,
O/o.District Collector Office,
Thenkasi District.

2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Sankarankovil,
Thenkasi District.

3.The Thasildar,
Taluk Office,
Thiruvengadam,
Thenkasi 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 Respondent Nos.1 to 3 to dispose the Petitioner's representation dated and 12.07.2021 in the light of the proceedings issued by the second respondent in O.Mu.A2/2574/2021 dated 22.07.2021 based on the petitioner's representation dated 06.08.2021. Within a stipulated time that may be fixed by this Hon'ble Court.

For Petitioner : Mr.T.Gopalakrishnan
for P.Ponraj

For Respondents : Mr.P.Subbaraj
Counsel for State

ORDER

The petitioner seeks a direction for the disposal of his representation dated 12.07.2021 seeking mutation of patta in his name.

2. The petitioner states that his father had purchased a property bearing survey No.81/4B at Umayathalaivanpatti Village, Vellakulam Revenue Village, Tiruvengadam Taluk, Tenkasi District. It is stated that a patta was issued to his father in respect of the



said property. Subsequently, the petitioner states that the said property was settled in his favour under a settlement deed dated 05.06.2020 bearing document No.973/2020. In spite of applying for a patta transfer in his name, no action has been taken by the official respondents.

WEB COPY 3.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents. He submits that the petitioner's representation may be considered and disposed of on merits after putting all the relevant parties on notice.

4.The petitioner has enclosed copies of the settlement deeds in favour of his brother and in his favour. He has also enclosed patta No.5381 which contains the names of nine (9) persons. The petitioner states that his father Gurusamy is one of the nine persons whose names are contained in the said patta. Therefore, the other eight joint pattadhars or their legal heirs, as the case may be, should be put on notice before the petitioner's representation is disposed of.

5.Subject to the above observation but without going into the merits of the matter, the third respondent herein is directed to consider the petitioner's representation dated 06.08.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner and the joint pattadhars as per patta No.5381. Such reasoned order shall be issued within a period of three months from the date of receipt of a copy of this order.

6.W.P(MD) No.15765 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

rm

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,
O/o.District Collector Office,
Thenkasi District.

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



2.The Revenue Divisional Officer,
O/o.Revenue Divisional Office,
Sankarankovil,
Thenkasi Distict.

3.The Thasildar,
Taluk Office,
Thiruvengadam,
Thenkasi District.

+1 CC to M/s.GP (SR-28216[F] dated 06/09/2021)

W.P (MD) No.15765 of 2021
03.09.2021

RK (14.09.2021) 3P 5C