



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.16985 of 2021

WEB COPY

1.Mrs.Mariammal

2.Mrs.Pappathy

... Petitioners

**Vs.**

1.The Revenue Divisional Officer,  
Dindigul District.

2.The Zonal Deputy Tahsildar,  
Dindigul West,  
Dindigul.

3.The Head Surveyor,  
(DIS),  
Taluk Office,  
Dindigul.

... 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 consider the application filed by the petitioners vide Petition No.2019/9005/13/082009/0618 (New Petition) dated 18.06.2019 and issue patta after conducting an enquiry.

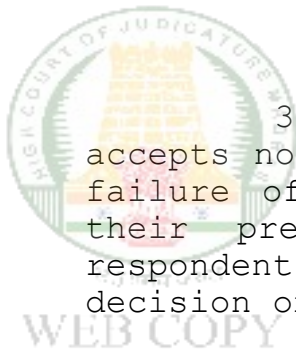
For Petitioners : Mr.S.Vinod Sathya Lazar

For Respondents : Mr.K.S.Selva Ganesan,  
Counsel for State.

**ORDER**

The petitioners seek a direction to the second respondent to consider the application dated 18.06.2019 for issuance of a joint patta to them.

2. The petitioners state that they jointly purchased the properties bearing Survey Nos.2270/2A, 2270/2B, 2270/2H, 2270/2G, 2275/4G, 2275/4F and 2271/1B at Thadicombu Village, Dindigul West, Dindigul under a registered sale deed dated 20.09.1991 bearing Document No.2052/1991. Since the date of purchase, it is stated that the petitioners are in joint possession and enjoyment of the relevant properties. By citing a kist receipt in favour of the second petitioner, the petitioners seek the issuance of a joint patta in their names.



3. Mr.K.S.Selva Ganesan, learned counsel for the State, accepts notice on behalf of all the respondents. On account of the failure of the petitioners to produce the patta in the names of their predecessors in interest, he submits that the second respondent may be directed to examine this aspect and take a decision on merits and in accordance with law.

4. While the petitioners have submitted a copy of the sale deed dated 20.09.1991, the petitioners have failed to produce a copy of the patta in the name of the petitioners' predecessors in interest. Therefore, the second respondent should examine this aspect while considering the application of the petitioners.

5. Subject to the above observations but without going into the merits of the matter, the second respondent herein is directed to consider the petitioners' application dated 18.06.2019 and dispose of the same by issuing a reasoned order after providing a reasonable opportunity to the petitioners and to rival claimants, if any. Such reasoned order shall be issued within a period of three (3) months from the date of receipt of a copy of this order.

6. W.P.(MD).No.16985 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (Crl side)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/LM

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, Dindigul District.

2.The Zonal Deputy Tahsildar, Dindigul West, Dindigul.

3.The Head Surveyor,  
(DIS), Taluk Office, Dindigul.

+1 CC to M/s.SPL. GP ( SR-30147[F] dated 24/09/2021 )

**W.P (MD) No.16985 of 2021**  
**22.09.2021**