



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.09.2021

CORAM

THE HON'BLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P. (MD)No.16761 of 2021

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Vennila

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Revenue Divisional Office,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
Taluk Office,
Paramakudi Taluk,
Ramanathapuram District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the second respondent herein to issue a Patta in the petitioner's name in respect of the property comprised in Patta No.438 in Survey No.139/3, to an extent of 0.56.50 Hectares (1Acre 40 Cents) comprised, situated at Veeravanur Village, Paramakudi Taluk, Ramanathapuram District by scrutinizing the petitioner's Application No.TNIGRS/2020/RURAL/19661649/16102020144353 dated 16.10.2020, subsequently by considering the petitioner's reminder representations dated on 31.08.2021, in accordance with law, within the stipulated time.

For Petitioner : Mr.D.Balamurugapandi

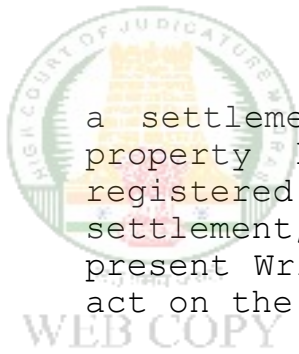
For Respondents : Mr.P.Subbaraj

Counsel for State

O R D E R

The petitioner seeks the issuance of a patta in her name in respect of the property bearing Survey No.139/3 of an extent of 0.56.50 Hectares which corresponds to 1 Acre and 40 Cents at Veeravanur Village, Paramakudi Taluk, Ramanathapuram District.

2. The petitioner states that the above mentioned property originally belonged to one Abdul Muthalibu. The said original owner executed a sale deed dated 19.12.1991 in favour of the petitioner's father, namely, Arumugam. Such document was registered as Document No.1111/1991 before the Sub Registrar Office, Bogalur. Pursuant thereto, it is stated that Patta No.438 was issued in favour of the petitioner's father. Subsequently, the petitioner's father executed



a settlement deed in the petitioner's favour in respect of the property bearing Survey No.139/3. Such settlement deed was registered as Document No.1039/2020. Upon execution of such settlement, the petitioner applied for a mutation of the patta. The present Writ Petition is filed on account of the alleged failure to act on the application for mutation.

3. Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of both the respondents. He submits that the petitioner's request for mutation of patta may be considered and disposed of on merits.

4. The petitioner has enclosed a sale deed dated 19.12.1991 in favour of her father, Arumugam. The said sale deed is in respect of Survey No.139/3 of an extent of 1 Acre and 40 Cents and Survey No.147/6. The petitioner has also enclosed Patta No.438. The said patta was issued in the name of Arumugam and pertains to Survey Nos.139/3 and 147/6. As regards Survey No.139/3, the extent indicated therein is 0.56.50 Hectares. The petitioner has also enclosed a copy of the settlement deed dated 16.10.2020. Such settlement deed is in respect of Survey No.139/3 of an extent of 1 Acre and 40 Cents. The 'A' Register reflecting the name of the petitioner's father is also enclosed.

5. On the basis of the above mentioned documents, the petitioner has made out a case for the issuance of a direction as prayed for.

6. Accordingly, the second respondent herein is directed to consider the petitioner's application dated 16.10.2020 for mutation of patta. Upon consideration thereof, the second respondent is directed to initiate necessary action and conclude such exercise within a period of three (3) months from the date of receipt of a copy of this order after providing a reasonable opportunity to the petitioner.

7. W.P.(MD).No.16761 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CS II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

tsg/nsr



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,
Revenue Divisional Office,
Paramakudi,
Ramanathapuram District.

2.The Tahsildar,
Taluk Office,
Paramakudi Taluk,
Ramanathapuram District.

+1 CC to M/s.D.BALAMURUGAPANDI, Advocate (SR-29607[F] dated 20/09/2021)

+1 CC to M/s.SPL. GP (SR-29760[F] dated 21/09/2021)

W.P.(MD)No.16761 of 2021

20.09.2021

MGJ(28.09.2021) 3P 5C