



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.09.2021

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WEB COPY

THE HONOURABLE MR.JUSTICE SETHILKUMAR RAMAMOORTHY

W.P(MD)No.17613 of 2021

Sudalaiyammal

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Sattur, Virudhunagar District.

2.The Thasildhar,
Taluk Office, Sattur,
Virudhunagar 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 name of the legal heirs of petitioner's deceased husband Chinnathambi for his properties bearing S.No.239/5B-Patta No.844, S.No.241/1B-Patta No.845, situated at Periyakollapatti Revenue Village, S.No.180/44-Patta No.154, situated at Chathirapatti Revenue Village, Sattur Taluk, Virudhunagar District.

For Petitioner : Mr.R.Murugappan

For Respondents : Mr.P.Subbaraj
Counsel for State

ORDER

The petitioner seeks a direction for the issuance of patta in the names of the legal heirs of her deceased husband, Chinnathambi.

2.The petitioner states that her husband was the owner of properties bearing S.Nos.239/5B and 241/1B at Periyakollapatti Revenue Village and the property bearing S.No.180/44 at Chathirapatti Revenue Village, Sattur Taluk, Virudhunagar District. It is stated that the petitioner's husband died on 27.06.2018 leaving behind the petitioner and her two children as the legal heirs. The petitioner submitted a representation dated 08.09.2021 seeking mutation of the patta and has approached this Court in such



regard.

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

4.The petitioner has enclosed copies of three pattas. Patta No.844 is in respect of S.No.239/5B. This patta was issued to Chinnathambi, the petitioner's husband, and Perumal. Patta No.845 is in respect of the property bearing S.No.241/1B. This patta has also been issued to Chinnathambi and Perumalammal. Patta No.154 pertains to the property bearing S.No.180/44 and has been issued solely in the name of Chinnathambi Konar. The petitioner has also enclosed the death certificate of her husband, Chinnathambi. In addition, the legal heirs certificate in respect of her husband has been enclosed. This document shows that the petitioner and her children are the legal heirs.

5.Based on the above documents, the petitioner is entitled to the consideration of the request for mutation. Before a decision is taken on the request for mutation, the joint pattathar under Patta Nos.844 and 845 should be put on notice with regard to the properties that form the subject matter of the relevant pattas.

6.Accordingly, the second respondent is directed to consider the petitioner's request for mutation and initiate action thereon after providing a reasonable opportunity to the petitioner, the other legal heirs of Chinnathambi and the joint pattathar in respect of Patta Nos.844 and 845. The entire exercise shall be concluded within a period of three (3) months from the date of receipt of a copy of this order.

7.W.P.(MD)No.17613 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

sjj

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,
Sattur, Virudhunagar District.

2.The Thasildhar,
Taluk Office, Sattur,
Virudhunagar District.

+1 CC to M/s.SPL.GP (SR-30870[F] dated 01/10/2021)

W.P (MD) No.17613 of 2021
30.09.2021

RD(12.10.2021) 3P 4C