



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD).No.17817 of 2021

and

W.M.P(MD).No.14690 of 2021

WEB COPY

- 1.T.Moorthy
- 2.Suseela
- 3.Preethi
- 4.Aarthi
- 5.Jayasri

... Petitioners

Vs.

- 1.The District Collector,
District Collector's Office,
Trichy-1, Trichy District.
- 2.The District Revenue Officer,
D.R.O. Office,
District Collector's Office,
Trichy-1, Trichy District.
- 3.The Revenue Divisional Officer,
R.D.O. Officer,
District Collector's Office,
Trichy-1, Trichy District.
- 4.The Tahsildar,
Taluk Office,
Thiruverumbur,
Trichy 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 respondents herein to issue patta, pertaining to property situated at Trichy District, Thiruberumbur Taluk, Thiruverumbur Sub-registration, Velayudhangudi Village, Ayan Punjai Old S.F.No.1, New S.F.No.282/2, measuring 4 acres and 36 cents, in favour of the petitioners herein on the basis of decree and judgment made in O.S.No.1447 of 2014 on the file of 1st Additional District Munsif, Trichy, dated on 01.08.2015, in the light of his representation dated 25.07.2020, within a stipulated period as may be fixed by this Court.

For Petitioners
For Respondents

: Mr.R.Sundar
: Mr.B.Saravanan
Counsel for State



ORDER

The petitioners seek a direction for the issuance of a patta relating to the property bearing old S.F.No.1, New S.F.No.282/2 measuring 4 acres and 36 cents at Velayudhangudi Village, Thiruverumbur Taluk, Trichy District.

WEB COPY

2.The petitioners state that the above mentioned property originally belonged absolutely to one Thadhapillai, who is the father of the first petitioner and grandfather of the third to fifth petitioners herein. The petitioners rely upon a sale deed dated 25.03.1960 in this regard. In addition, the petitioners rely upon the judgment and decree dated 01.08.2015 in O.S.No.1447 of 2014 by which a declaratory decree was granted in favour of the petitioners as regards the relevant property. The petitioners point out that a representation was issued on 25.07.2020 and that, in response thereto, the jurisdictional Tahsildar had called for a report from the Regional Deputy Tahsildar. However, it is stated that no further action was taken thereon.

3.Mr.B.Saravanan, learned counsel for the State, accepts notice for all the respondents. He submits that the third and fourth respondents may be directed to dispose of the petitioners' representation within a reasonable time frame on merits and in accordance with law.

4.The petitioners have enclosed a copy of the judgment and decree in O.S.No.1447 of 2014 dated 01.08.2015. By such decree, the civil court has declared that the relevant property is owned by the petitioners. Therefore, the petitioners are entitled to the consideration of the relevant representation.

5.Accordingly, without entering any findings on the merits of the matter, the third and fourth respondents herein are directed to consider the petitioners' representation dated 25.07.2020 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioners and any other person who would be affected by such decision. 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.17817 of 2021 is disposed of on these terms without any order as to costs. Consequently, W.M.P.(MD)No.14690 of 2021 is closed.

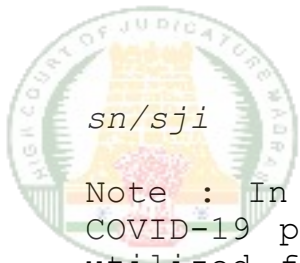
Sd/-

Assistant Registrar (Cs-I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)



sn/sji

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,
District Collector's Office,
Trichy-1,
Trichy District.
- 2.The District Revenue Officer,
D.R.O. Office,
District Collector's Office,
Trichy-1,
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Trichy-1,
Trichy District.
- 4.The Tahsildar,
Taluk Office,
Thiruverumbur,
Trichy District.

+1 CC to M/s.SPL.GP (SR-31168[F] dated 05/10/2021)

W.P (MD) .No.17817 of 2021
04.10.2021

NSN(CO)
KB(20.10.2021) 3P 6C