



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.10.2021

CORAM

THE HONOURABLE MR.JUSTICE SENTHILKUMAR RAMAMOORTHY

W.P(MD)No.18189 of 2021

Maheswari

... Petitioner

Vs.

- 1.The District Collector,
District Collector Office,
Tenkasi, Tenkasi District.
- 2.The Revenue Divisional Offcier,
Revenue Divisional Office,
Sankarankovil,Tenkasi District.
- 3.The Tahsildar,
Taluk Office,
Sivagiri Taluk, Tenkasi District.

... Respondents

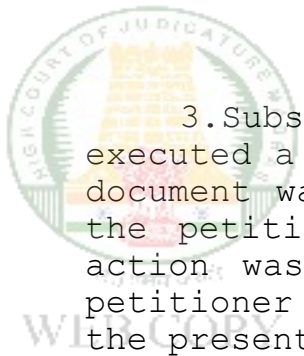
Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, by directing the third respondent to issue patta in favour of the petitioner for the land extent of 11 cents situated at Survey Nos.599/13, 599/15, 599/16, Sivagiri Village, Sivagiri Taluk, Tenkasi District by considering the petitioner's representation dated 26.08.2021 in the light of registered deed of gift vide Document Number:551/2012 on the file of Sivagiri Sub-Registrar Office dated 18.04.2012 within a stipulated time that may be fixed by this Hon'ble Court.

For Petitioner : Mr.R.Karunanidhi
For Respondents : Mr.P.Subbaraj,
Counsel for State.

ORDER

The petitioner seeks a direction to the third respondent to issue a patta in her favour for the land measuring 11 Cents at Survey Nos.599/13, 599/15 and 599/16 at Sivagiri Village, Sivagiri Taluk, Tenkasi District.

2.The petitioner traces title to the above mentioned property through a registered sale deed dated 20.07.1964 bearing Document No.716/1964 in favour of her grandfather. The petitioner also relies upon a subsequent sale deed dated 10.11.1975, bearing Document No.1655/1975 in favour of her grandfather. It is stated that both the sale deeds relate to specific extents of land in Survey No.599.



3.Subsequently, the petitioner states that her grandfather executed a gift deed in her favour on 18.04.2012, and that the said document was registered as Document No.551/2012. Pursuant thereto, the petitioner applied for a patta on 02.11.2020. Thereafter, no action was taken on the petitioner's application. Therefore, the petitioner carried a representation dated 26.08.2021 and has filed the present Writ Petition.

4.Mr.P.Subbaraj, learned counsel for the State, accepts notice on behalf of all the respondents.

5.The petitioner has enclosed copies of the sale deeds dated 20.07.1964 and 10.11.1965 by which it is stated that her grandfather purchased properties bearing Survey No.599. The gift deed dated 18.04.2012 is also enclosed. The said gift deed appears to pertain to the property bearing Survey No.599/14, Survey No.599/15 and Survey No.599/16 of a total extent of 11 Cents. However, it should be noted that the petitioner has not produced any revenue records in the name of her grandfather. This aspect should be taken into account by the third respondent by examining the revenue records available at the office of the third respondent.

6.Subject to the above observations but without entering any findings on the merits of the matter, the third respondent herein is directed to consider the petitioner's representation dated 26.08.2021 and dispose of the same by a reasoned order after providing a reasonable opportunity to the petitioner. Such reasoned order shall be issued within a period of three (3) months from the date of receipt of a copy of this order.

7.Accordingly, W.P.(MD).No.18189 of 2021 is disposed of on these terms without any order as to costs.

Sd/-

Assistant Registrar (T & P)

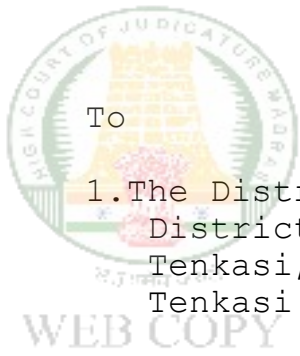
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/ /2021

Sub Assistant Registrar(CS)

tsg/nsr/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 District Collector,
District Collector Office,
Tenkasi,
Tenkasi District.

2.The Revenue Divisional Offcier,
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Tenkasi District.

3.The Tahsildar,
Taluk Office,
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Tenkasi District.

+1 CC to M/s.R.KARUNANIDHI, Advocate (SR-31790[F] dated
08/10/2021)

+1 CC to M/s.SPL.GP (SR-31961[F] dated 11/10/2021)

**W.P (MD) No.18189 of 2021
08.10.2021**

SS (CO)

RS (28.10.2021) 3P 6C