



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.03.2022

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.4601 & 4605 of 2022

S.Kasivishwanathan ... Petitioner in W.P.No.4601 of 2022
Poongavanam ... Petitioner in W.P.No.4605 of 2022
Vs.

1. The Revenue Divisional Officer,
Harur Revenue Divisional Office,
Harur-636 903,
Dharmapuri District.
2. The Tahsildar,
Harur Tahsildar Office,
Harur Taluk,
Dharmapuri District. ... Respondents in both W.P's

PRAYER in both W.P's: These Writ Petitions filed under Section 226 of Constitution of India, pleaded to issue an order or direction or writ in the nature of Writ of Mandamus directing the 1st respondent to issue necessary orders to the 2nd respondent to issue Joint Patta by include the petitioners names in the Joint Patta No.190 in respect of Suvey No.3/2B, New Survey No.3/2B1 further Sub Divided as No.3/2B1A1 by considering the appeal made by the petitioners dated 07.01.2022.

For Petitioners : Mr.T.Chella Pandian
in both W.P's

For Respondents : Mr.G.Nanmaran,
in both W.P's
Special Government Pleader



COMMON O R D E R

The present Petitions have been filed praying to issue appropriate orders for issue Joint Patta by including the petitioners names in the Joint Patta No.190 in respect of Survey No.3/2B, New Survey No.3/2B1 further Sub Divided as No.3/2B1A1 by considering the appeal made by the petitioners dated 07.01.2022.

2. Mr.G.Nanmaran, learned Special Government Pleader takes notice for the respondents 1 & 2.

3. The case of the petitioners is that the petitioners have purchased a portion of the property comprised in Survey No.3/2B, New Survey No.3/2B1 from one Mrs.Chinnakkal, by way of a registered sale deed dated 30.04.2008. Thereafter, joint patta was issued in favour of group of persons, who had purchased the property from said Mrs. Chinnakkal and her son Mr. Rajaperumal in respect of the Survey Number.3/2B, New Survey No.3/2B1 and further Sub Divided as No.3/2B1A1 bearing Patta No.190. The petitioners made an application before the 2nd respondent for mutation of Revenue Records and transfer the Patta in their names, however, the 2nd respondent had rejected the claim of the petitioners on the ground that sub division has been wrongly mentioned in the sale deed. Aggrieved by the same, the petitioner had preferred an appeal before the 1st respondent under Section 12 of the Tamil Nadu Patta Pass Book Act, 1983, on 07.01.2022. However, till date, no orders have been passed. Hence, the present petitions have been filed seeking the aforesaid relief.

4. Though very many grounds have been raised, learned counsel for the petitioners submits that it would suffice if this Court issues direction to the 1st respondent to issue necessary orders to the 2nd respondent to consider the petitioners' representation dated 07.01.2022 to issue joint patta by including the petitioners name in Joint Patta No.190 in respect of Survey No.3/2B, New Survey No.3/2B1 further sub divided as No.3/2B1A1 and pass appropriate orders on the same within the time stipulated by this Court.

5. The learned Special Government Pleader appearing for the respondents 1 & 2 has no objection for said order being passed.

6. In view of the aforesaid submissions, this Court without expressing any opinion on the merits of the case, issues a direction to the 1st respondent to dispose of the appeal filed by the petitioner, on merits and in accordance with law and pass



appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order. The petitioners are permitted to produce all the relevant records including the chain of documents to substantiate their possession of the said property before the 1st respondent and the same shall be taken into consideration before the orders are passed by the 1st respondent.

7. Accordingly, these writ petitions are disposed of with the aforesaid direction. No costs.

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

rgi/nhs

To

1. The Revenue Divisional Officer,
Harur Revenue Divisional Office,
Harur-636 903,
Dharmapuri District.

2. The Tahsildar,
Harur Tahsildar Office,
Harur Taluk,
Dharmapuri District.

+2cc to Mr.T.Chella Pandian, Advocate SR.No.14380, 14381
+1cc to the Government Pleader, SR.No.15068

W.P.Nos.4601 & 4605 of 2022

JP(CO)
CB(29/03/2022)