



W.P.No.33138 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.33138 of 2022

R.Jayaprakash

.... Petitioner

-Vs-

1.The District Registrar
Villupuram District
Villupuram.

2.The Tahsildar
Melmalayanur Taluk
Villupuram District.

3.Pachaiyappan

.... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the second respondent to forthwith pass orders on the application dated 07.10.2022 for the change in the entry of the Patta No.1871, Kapplambadi Village and remove the name of the third respondent from the patta in regard to the lands in Survey No.131/1, Kapplambadi Village, Melmalayanur Taluk, Villupuram District within such time as may be fixed by this Hon'ble Court.

For Petitioner : Mr.P.Srinivas
For Respondents : Mrs.N.Senthilselvi
Government Advocate – for RR 1 and 2



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ORDER

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The prayer sought for herein is for a Writ of Mandamus directing the second respondent to forthwith pass orders on the application dated 07.10.2022 for the change in the entry of the Patta No.1871, Kapplambadi Village and remove the name of the third respondent from the patta in regard to the lands in Survey No.131/1, Kapplambadi Village, Melmalayanur Taluk, Villupuram District within such time as may be fixed by this Hon'ble Court.

2. In respect of certain landed properties at Kapplambadi revenue village Melmalayanur Taluk, Villupuram Taluk patta had already been issued in the name of the petitioner's father one Rangasamy Pillai in Patta No.775. Subsequently there has been a settlement by the petitioner's father in favour of the petitioner, pursuant to which patta has been issued in the name of the petitioner in Patta No.1729. Subsequently, now a joint patta had been issued in Patta No.1871 in the name of the petitioner as well as the 3rd respondent.

3. In this context, it is the case of the petitioner that totally 129 cents were purchased by the petitioner's father ie., the property of the petitioner and 4 cents have been given to the 3rd respondent. Instead of granting separate patta for the 4 cents in favour of the 3rd respondent it has been made a joint patta as if



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both are joint owners of the property and therefore, for giving a separate patta the petitioner has made an application on 07.10.2022. Since the same has not been considered so far the petitioner has filed the present writ petition.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the petitioner.

5. Learned Government Advocate submits that the petitioner's representation would be considered and decided on merits and in accordance with law after hearing the petitioner as well as the 3rd respondent.

6. Having considered the said submission made by the learned Government Advocate, this Court is inclined to dispose of this writ petition with the following order.

"That there shall be a direction to the second respondent Tahsildar to consider the application of the petitioner dated 07.10.2022 and pass necessary orders on the plea of the petitioner after giving an opportunity of being heard to both the petitioner as well as the 3rd respondent within a period of four weeks from the date of receipt of a copy of this order."

R. SURESH KUMAR, J.



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KST

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7. With the above directions, this writ petition is disposed of. No costs.

09.12.2022

Index : Yes/No
Internet : Yes/No
KST

To

- 1.The District Registrar
Villupuram District
Villupuram.
- 2.The Tahsildar
Melmalayanur Taluk
Villupuram District.

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