



WEB COPY



W.P.No.34019 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.12.2022

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

Writ Petition No.34019 of 2022

Santhamma

... Petitioner

-Vs-

1. The Commissioner of Land Administration,
Ezhilagam, Chepauk,
Chennai – 600 005.

2. The District Revenue Officer,
District Revenue Office,
Krishnagiri District,
Krishnagiri – 635 115.

3. The Revenue Divisional Officer,
Revenue Divisional Office,
Hosur – 635 109,
Krishnagiri District.

4. The Tahsildar,
Shoolagiri Taluk,
Shoolagiri – 635 117,
Krishnagiri District.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 22.03.2022 and to issue fresh patta to the petitioner in respect of Survey Nos.3/A2 and 3/B, New Survey No.376 situated at Thoripalli Village, Hosur Taluk,



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Krishnagiri as per the Partition Deed dated 10.07.1965, Registered as Document No.2353/1965 within the time to be stipulated by this Court.

For Petitioner : Mr.R.Bharath Kumar
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents to consider the petitioner's representation dated 22.03.2022 and to issue fresh patta to the petitioner in respect of Survey Nos.3/A2 and 3/B, New Survey No.376 situated at Thoripalli Village, Hosur Taluk, Krishnagiri as per the Partition Deed dated 10.07.1965, Registered as Document No.2353/1965 within the time to be stipulated by this Court.

2. In respect of the land at S.Nos.3/A2 and 3/B New Survey No.376 situated at Thoripalli Village, Hosur Taluk, Krishnagiri, it is the claim of the petitioner that it has been allotted to the petitioner's husband one Munusami through a partition deed dated 10.07.1965.

3. Though such a property was allotted exclusively to the



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petitioner's husband, who is no more now, so far no separate patta has been issued either to the petitioner's husband during his life time or subsequent to the petitioner.

4. Therefore, in order to get the individual patta in favour of the petitioner in respect of the property, which has been allotted through the partition among the brothers as referred to above, the petitioner has given representation to the respondent on 22.03.2022 and the same since has not been considered, the petitioner has moved the present writ petition.

5. Heard Mr.R.Bharath Kumar, learned counsel appearing for the petitioner, who having reiterated the aforesaid would seek indulgence of this Court.

6. Heard Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondents, who would submit that the petitioner's representation dated 22.03.2022 would be considered and decided on merits and in accordance with law by the fourth respondent and if ultimately, the fourth respondent finds that the petitioner is entitled to get separate patta for the land, which is claimed to have been allotted to



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the petitioner's husband through the family partition that also should be taken into account and the needful would be undertaken within a time frame that may be stipulated by this Court.

7. Considering the said submission made by the learned counsel appearing for both sides, especially the stand taken by the learned Special Government Pleader appearing for the respondents, this Court is inclined to dispose of this writ petition with the following order:

That there shall be a direction to the fourth respondent to consider the representation of the petitioner dated 22.03.2022 and pass orders thereon on merits and in accordance with law within a period of six(6) weeks from the date of receipt of a copy of this order.

With this direction, this writ petition is disposed of. No costs.

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Index : Yes/No
Speaking order: Yes/No
mp



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R. SURESH KUMAR, J.

mp

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