



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.01.2022

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P. (MD) No.124 of 2022

S.Mariammal

... Petitioner

vs.

1.The District Collector,
The District Collector Office,
Tuticorin.

2.The Tahsildar,
Ootapidaram Taluk,
Ootapidaram,
Tuticorin District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 28.07.2021 within a specific period.

For Petitioner
For Respondents

: Mr.KA.Raamakrishnan
: Mr.N.Satheeshkumar
Additional Government Pleader

O R D E R

The writ petition has been filed in the nature of Writ of Mandamus, seeking a direction, particularly, to the second respondent/Tahsildar, Ootapidaram Taluk, Tuticorin District, to consider the representation, dated 28.07.2021.

2.The petitioner is the senior citizen, had purchased the property from three vendors by a registered sale deed dated 19.08.2013. The property measured about 30 cents. It is situated in S.No.83/1A at Jumbulingapuram Village, Ottapidaram Taluk, Tuticorin District. There is a patta existing for the property in Patta No.1467 which still stands in the name of the vendors of the petitioner herein.

3.Heard the learned counsel for the petitioner and also the learned Additional Government Pleader for the respondents.

4.It is stated by the learned counsel for the petitioner that though the property had been purchased in the year 2013, the patta still stands in the vendors and therefore, a representation had been given to grant patta in the name of the petitioner.



5.The learned Additional Government Pleader, on the other hand, pointed out that the petitioner had purchased the property from the widow, two daughters of one Shunmuga Konar and as a matter of fact, the sale deed was executed by the power of attorney agent of the vendor. It was pointed out that the Shunmuga Konar had a son called Murugan. The learned Additional Government Pleader further stated that insofar as the particular property, namely, S.No.83/1A is concerned, her vendors had absolute title and she had purchased the property from them.

6.At any rate, a onus is cast on the second respondent/Ottapidaram Taluk, Tuticorin District, prior to examining the representation of the petitioner, to also issue notice to Murugan s/o Shunmuga Konar, enquire with him also relating to the title of the property and also the possession of the property and thereafter, proceed further to comply with the requirements. Prior to that there is an obligation on the petitioner to file an application through online in proper procedure and also pay necessary charges. On receipt of such online application, the second respondent is directed to do the necessary needful after following the due procedures in manner known to law, within a period of twelve weeks from the date of receipt of a copy of such online application.

7.With the above observations, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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,
The District Collector Office,
Tuticorin.

2.The Tahsildar,
Ootapidaram Taluk,
Tuticorin District.

<https://hcservices.courts.gov.in/hcservices/>



+1 CC to M/s.SPL.GP (SR-768[F] dated 07/01/2022)

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KB(25.01.2022) 3P 4C