



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.02.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.2907 of 2022

WEB COPY

Rajeswari

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Thirumangalam,
Madurai District.

2.The Tahsildar,
Thirupparankundram Taluk,
Thirunagar,
Madurai - 625 006.

3.Narayanasamy Naidu

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 herein to conduct enquiry and pass orders on the enquiry proceedings regarding inclusion of petitioner's name in the patta based on the enquiry notice issued by the second respondent in his proceedings in Na.Ka.No.5019/2010/B dated 10.11.2020 within a time limit that may be fixed by this Court.

For Petitioner : Mr.D.Srinivasaragavan

For Respondents 1&2 : Mr.B.Saravanan
Additional Government Pleader

O R D E R

This writ petition has been filed for a Mandamus seeking for a direction to the first and second respondents to conduct enquiry and pass orders on the enquiry proceedings regarding inclusion of petitioner's name in the patta for the property bearing Survey Nos.99/3, 131/11, 291/2, 217/10, 26/2, 49/4, 49/6 and 55/3 at Nilaiyur Bit-I Village, Thirupparankundram Taluk, Madurai District based on the petitioner's application dated 20.08.2016 within a time frame to be fixed by this Court.

2.The petitioner claims that she and her family members are the owners of the aforementioned property, having got the same through inheritance. The petitioner has submitted an application dated 20.08.2016 with the first respondent seeking for issuance of patta



in the name of the petitioner and other family members. Since the said application has not been considered till date, the petitioner has filed this writ petition.

2. Heard Mr.D.Srinivasaragavan, learned counsel appearing for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader who accepts notice on behalf of respondents 1 and 2.

3. Learned Counsel for the petitioner submits that subsequent to the filing of the application dated 20.08.2016, seeking for issuance of patta an enquiry notice dated 10.11.2020 was received by the petitioner and thereafter no further proceedings were issued by the second respondent. Therefore, the petitioner seeks for a direction to the second respondent to dispose of the application seeking for issuance of patta submitted by the petitioner by holding a full-fledged enquiry within a time frame to be fixed by this Court.

4. No prejudice would be caused to the official respondents if the petitioner's application seeking for issuance of patta in her name as well as in her family members name is considered on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner and other family members as well as the third respondent who is the rival claimant.

5. Accordingly, this Court directs the second respondent to consider the petitioner's application dated 20.08.2016 seeking for issuance of patta in her name as well as in her family members name for the aforementioned properties and pass final orders on merits and in accordance with law after affording a fair opportunity of hearing to the petitioner as well as other family members which includes the third respondent also within a period of twelve [12] weeks from the date of receipt of a copy of this order.

6. With the above direction, the Writ Petition stands disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (P&A)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

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 Revenue Divisional Officer,
Thirumangalam,
Madurai District.

2.The Tahsildar,
Thirupparankundram Taluk,
Thirunagar,
Madurai - 625 006.

+1 CC to M/s.SPL GP (SR-6454[F] dated 16/02/2022)

+1 CC to M/s.D.SRINIVASARAGAVAN, Advocate (SR-6071[F] dated
14/02/2022)

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RK(04/03/2022) 3P 5C