



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **22.03.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.5025 of 2022

Meenakshi

... Petitioner

/Vs./

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

3.The Revenue Divisional Officer,
Sivakasi Division,
Sivakasi,
Virudhunagar District.

4.The Tahsildar,
Sivakasi Taluk,
Sivakasi,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the Respondents with regard to the pendency of the 4th Respondent's report dated 17.07.2019 and the authority concerned shall issue the Patta for the Legal-heirs of the petitioner's father, Late C.A.Babu within a time frame as fixed by this Court.

For Petitioner : Mr.V.Murugan

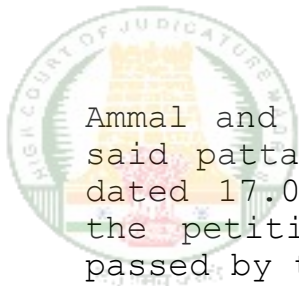
For Respondents : Mr.D.Sasikumar

Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to issue the Patta in the names of the legal heirs of Late C.A.Babu for the subject property, within a time frame to be fixed by this Court.

2.According to the petitioner, originally, Late C.A.Babu was the owner of the property comprised in Ayan Punja S.No.33/1, Cimco Colony, Anaiyur Village and Panchayat, Sivakasi Taluk, Virudhunagar District. After his death, his legal heirs are now entitled to the subject property. However, pursuant to the UDR Survey, patta for the subject property has been issued in the names of Visalatchi



Ammal and Meenammal. The petitioner seeks for cancellation of the said patta. The fourth respondent has already submitted a report dated 17.07.2019 to the third respondent recommending the case of the petitioner. However, till date, no final orders have been passed by the third respondent.

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3. Heard Mr.V.Murugan, learned Counsel for the writ petitioner and Mr.D.Sasikumar, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4. The fourth respondent, by his report dated 17.07.2019, has already recommended the case of the petitioner to the third respondent. No prejudice would be caused to the respondents, if a direction is given by this Court to pass final orders, based on the petitioner's representation seeking for cancellation of patta, within a time frame to be fixed by this Court.

5. Accordingly, this Court directs the third respondent to pass final orders, pursuant to the recommendation submitted by the fourth respondent in his report dated 17.07.2019, after affording a fair hearing to the petitioner and other legal heirs of the deceased C.A.Babu, in whose name patta for the subject property stood earlier, within a period of three [3] months from the date of receipt of a copy of this order. The petitioner also seeks for issuance of patta in the names of the legal heirs of the deceased C.A.Babu. The same can be considered in the final orders to be passed by the third respondent, pursuant to the directions given by this Court, today.

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

Sd/-

Assistant Registrar (Records)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The District Collector,
Virudhunagar District,
Virudhunagar.

2. The District Revenue Officer,
Virudhunagar District,
Virudhunagar.

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



3.The Revenue Divisional Officer,
Sivakasi Division,
Sivakasi,
Virudhunagar District.

4.The Tahsildar,
Sivakasi Taluk,
Sivakasi,
Virudhunagar District.

+1 CC to M/s.V.MURUGAN, Advocate (SR-13593[F] dated 22/03/2022)

+1 CC to M/s.SPL GP (SR-13930[F] dated 23/03/2022)

W.P. [MD]No.5025 of 2022
22.03.2022

RD(01.04.2022) 3P 7C