



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.5348 of 2022

S.Chandra

.. Petitioner

Vs

1.The Revenue Divisional Officer,
Thanjavur.

2.The Tahsildar,
Thanjavur Taluk and District.

.. Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 2nd respondent to subdivide and issue joint patta in the name of the petitioner and her two sons in respect of the Plot No.207, in Arulananthammal Nagar, situated in Block 98, Ward 6 of Town Survey No.3296 (Nanjikottai Village), Thanjavur Municipal Town, Thanjavur Taluk and District, measuring to an extent of 2400 square feet by considering the petitioner's representation, dated 02.02.2022.

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the 2nd respondent to subdivide and issue joint patta in the name of the petitioner and her two sons in respect of the Plot No.207, in Arulananthammal Nagar, situated in Block 98, Ward 6 of Town Survey No.3296 (Nanjikottai Village), Thanjavur Municipal Town, Thanjavur Taluk and District, measuring to an extent of 2400 square feet by considering the petitioner's representation, dated 02.02.2022.

2.Heard Mr.K.Jeyamohan, learned counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

3.The case of the petitioner is that her husband S.Ravichandran, purchased the above mentioned property under a sale deed dated 14.09.2001. According to her, her husband died leaving behind the petitioner and her two sons as his only legal heirs. The petitioner has applied for a joint patta in their names, subsequent



to the death of her husband. She has submitted an application on 02.02.2022. Since the application has not been considered till date, she has filed this writ petition.

4.The petitioner has filed documents along with the writ petition to substantiate her claim that she is entitled for a joint patta for the subject property in her name and in the names of her two sons. It is for the respondents to consider the same on merits and in accordance with law and decide as to whether a joint patta can be issued in the name of the petitioner and her two sons.

5.No prejudice will be caused to the respondents, if the petitioner's application seeking for issuance of joint patta in her name and in the names of her two sons, is considered on merits and in accordance with law.

6.Accordingly, this Court directs the second respondent to consider the petitioner's application, dated 02.02.2022, seeking for issuance of joint patta in the name of the petitioner and her two sons for the property bearing Plot No.207, in Arulananthammal Nagar, situated in Block 98, Ward 6 of Town Survey No.3296 (Nanjikottai Village), Thanjavur Municipal Town, Thanjavur Taluk and District, measuring to an extent of 2400 square feet and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner, including granting her the right of personal hearing, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

TM

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,

Thanjavur.

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



2.The Tahsildar,
Thanjavur Taluk and District.

+2 CC to M/s.K.JEYAMOHAN, Advocate (SR-1462914657 [F] dated
25/03/2022)

+1 CC to M/s.SPL GP (SR-14896[F] dated 28/03/2022)

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