



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P. (MD)No.5746 of 2022

WEB COPY

M.Siluvai Ammal

... Petitioner

Vs

1.The District Collector,
Thoothukudi District,
Thoothukudi.

2.The Tahsildar,
Thoothukudi Taluk,
Thoothukudi,
Thoothukudi District.

3.The Zonal Deputy Tahsildar,
Thoothukudi Taluk,
Thoothukudi,
Thoothukudi District.

4.The Village Administrative Officer,
Maravanmadam Village,
Maravanmadam,
Thoothukudi District.

.. Respondents

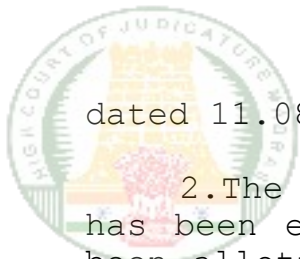
PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the 2nd respondent herein to issue separate patta to the petitioner's land for an extent of 4.5 cents in S.No.110/14A, Maravanmadam Village, Thoothukudi Taluk, Thoothukudi District, by considering the petitioner's representation, dated 11.08.2021, within the time stipulated by this Court.

For Petitioner : Mr.N.Pragalathan

For Respondents : Mr.B.Saravanan
Additional Government Pleader

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the second respondent to issue separate patta in favour of the petitioner in respect of the land measuring an extent of 4.5 cents in S.No.110/14A, Maravanmadam Village, Thoothukudi Taluk, Thoothukudi District, based on the petitioner's representation,



dated 11.08.2021, within a time frame to be fixed by this Court.

2.The case of the petitioner is that an oral family partition has been entered into among the family members, by which, she has been allotted the aforementioned property. The petitioner seeks for issuance of separate patta in her name in respect of the aforementioned land, which has been allotted to her under the oral partition. She has submitted a representation on 11.08.2021, for the said purpose. Since her representation has not been considered till date, she has filed this writ petition.

3.Heard Mr.N.Pragalathan, learned counsel for the petitioner and Mr.B.Saravanan, learned Additional Government Pleader, who accepts notice on behalf of the respondents.

4.The learned Additional Government Pleader on instructions would submit that the petitioner will have to submit an online application and will have to furnish all the relevant documents in order to consider the petitioner's application.

5.The learned counsel for the petitioner on instructions submits that the petitioner is willing to submit an online application and is also willing to produce all the necessary documents to enable the petitioner to get separate patta. The said statement is also recorded.

6.No prejudice will be caused to the respondents, if the petitioner's application is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and other necessary parties, whom the second respondent deems fit to enquire.

7.Accordingly, this Court directs the petitioner to submit an online application seeking for issuance of separate patta in her name for the property measuring an extent of 4.5 cents in S.No.110/14A, Maravanmadam Village, Thoothukudi Taluk, Thoothukudi District, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the online application, the second respondent shall process the same and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and other necessary parties, whom the second respondent deems fit to enquire, within a period of twelve weeks, thereafter. The petitioner is directed to produce all the relevant documents in respect of her contentions that she is entitled for a separate patta before the second respondent and the second respondent shall consider the same on merits and in accordance with law.



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

Sd/-

Assistant Registrar(CO)

// 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 District Collector,
Thoothukudi District, Thoothukudi.
2. The Tahsildar,
Thoothukudi Taluk,
Thoothukudi, Thoothukudi District.
3. The Zonal Deputy Tahsildar,
Thoothukudi Taluk,
Thoothukudi, Thoothukudi District.
4. The Village Administrative Officer,
Maravanmadam Village,
Maravanmadam, Thoothukudi District.

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-15992[F] dated 01/04/2022)

+1 CC to M/s.SPL GP (SR-16074[F] dated 01/04/2022)

W.P. (MD)No.5746 of 2022

31.03.2022

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nsn(CO)

TR(07.04.2022) 3P 7C