



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.[MD]No.5673 of 2022

P.Kaleeswari

... Petitioner

Vs.

1.The District Collector,
O/o. The District Collector,
Collectorate Campus,
Madurai,
Madurai District.

2.The Tahsildar,
O/o. The Tahsildar,
Madurai North Taluk,
Madurai,
Madurai District.

... Respondents

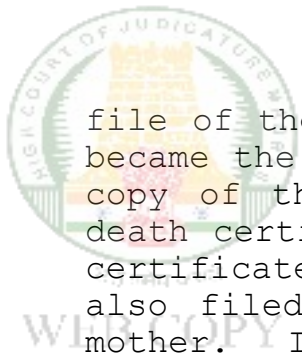
PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the second respondent to issue patta in respect of the petitioner's land admeasuring to an extent of 1 acre and 20 cents in S.No.173/1 situated at Kovilpappakudi Village, Madurai North Taluk, Madurai District by considering the petitioner's representation dated 14.03.2022 within a period that may be stipulated by this Court.

For Petitioner : Mr.M.Ajmal Khan
Senior Counsel
for M/s.Ajmal Associates
For Respondents : 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 second respondent to issue patta in respect of the petitioner's land admeasuring to an extent of 1 acre and 20 cents in S.No.173/1 situated at Kovilpappakudi Village, Madurai North Taluk, Madurai District by considering the petitioner's representation dated 14.03.2022 within a time frame to be fixed by this Court.

2.The petitioner claims that she is the owner of the aforementioned property. According to her, by virtue of a judgment and decree dated 27.10.2015 passed in O.S.No.238 of 2014, on the



file of the District Munsif Court, Madurai, the petitioner's mother became the owner of the property. The petitioner has also filed the copy of the judgment and decree dated 27.10.2015 as well as the death certificate of the petitioner's mother and the legal heirship certificate of her mother. Along with this writ petition, she has also filed kist receipts and Chitta standing in the name of her mother. It is for the second respondent to consider the same on merits and in accordance with law.

3. Without expressing any opinion on the merits of the matter, this Court is of the considered view that no prejudice would be caused to the second respondent if the petitioner's representation seeking for issuance of patta 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.

4. Accordingly, this Court directs the second respondent to consider the petitioner's representation dated 14.03.2022 requesting for issuance of patta in respect of the petitioner's land admeasuring an extent of 1 acre and 20 cents in S.No.173/1 situated at Kovilpappakudi Village, Madurai North Taluk, Madurai District 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 and also by granting them the right of personal hearing within a period of three [3] months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

1. The District Collector,
O/o. The District Collector,
Collectorate Campus,
Madurai,
Madurai District.



2.The Tahsildar,
O/o. The Tahsildar,
Madurai North Taluk,
Madurai,
Madurai District.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-15570[F] dated
31/03/2022)

+1 CC to M/s.SPL GP (SR-15713[F] dated 31/03/2022)

ORDER MADE IN
W.P. [MD]No.5673 of 2022
30.03.2022

SR(CO)
TR(07.04.2022) 3P 5C