



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.04.2022

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.[MD]No.7174 of 2022

N.Raju

... Petitioner

/Vs./

The Tahsildar,
Taluk (East), Trichy-2,
Trichy District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus directing the respondent to issue patta in favour of petitioner, pertaining to the property situated at Trichy District, Trichy East Taluk, Joint 3 Sub-Registrar Office range, Ariyamangalam Village, old S.F.No.195, New S.F.No.236 admeasuring Acre 0.25 cents vacant site and mud wall roof house situated thereon, in the light of the petitioner's representation dated 31.01.2022 within a stipulated period as may be fixed by this Court.

For Petitioner

: Mr.R.Sundar

For Respondent

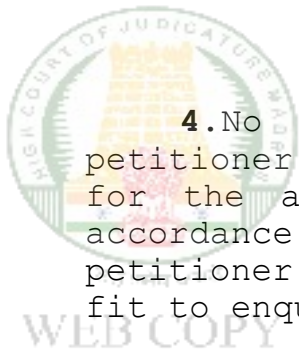
: Mrs.S.Jeyapriya,
Government Advocate.

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondent to issue patta in favour of petitioner, in respect of the property in old S.F.No.195, New S.F.No.236 admeasuring 0.25 cents vacant site and mud wall roof house situated thereon at Trichy District, Trichy East Taluk, Joint 3 Sub-Registrar Office range, Ariyamangalam Village, in the light of the petitioner's representation dated 31.01.2022 within a time frame to be fixed by this Court.

2.The petitioner claims that he is the absolute owner of the aforementioned property. He has filed copies of the patta and tax receipts for the subject property standing in the name of the petitioner's mother. According to him, his mother executed a will dated 11.11.2003 in his favour. It is his case that ever since her death, he has been in absolute possession and enjoyment of the property. The petitioner has applied for patta with the respondents on 31.01.2022. Since the application has not been considered till date, he has filed this writ petition.

3.Heard Mr.R.Sundar, learned Counsel for the writ petitioner and Mrs.S.Jeyapriya, learned Government Advocate., who accepts notice on behalf of the respondent.



4.No prejudice would be caused to the respondent, if the petitioner's application seeking for issuance of patta in his name, for the aforementioned property is considered on merits and in accordance with law, after affording a fair hearing to the petitioner and any other necessary party, whom the respondent deems fit to enquire.

5.The petitioner has also filed documents along with this writ petition. It is for the respondent to consider the documents produced by the petitioner and thereafter decide as to whether the petitioner is entitled for patta or not.

6.For the foregoing reasons, this Court directs the respondent to consider the petitioner's application dated 31.01.2022 seeking for issuance of patta in his name for the property comprised in old S.F.No.195, New S.F.No.236 admeasuring 0.25 cents vacant site and mud wall roof house situated thereon at Trichy District, Trichy East Taluk, Joint 3 Sub-Registrar Office range, Ariyamangalam Village and pass final orders on merits and in accordance with law, after affording a fair hearing to the petitioner and any other necessary party, whom the respondent deems fit to enquire, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

7.With the aforesaid direction, this writ petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

04/05/2022

Sub Assistant Registrar(CS)

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To

The Tahsildar,
Taluk (East), Trichy-2,
Trichy District.

+1 CC to M/s.R. SUNDAR, Advocate (SR-19258[F] dated 19/04/2022)

+1 CC to M/s.SPL.GP (SR-19340[F] dated 19/04/2022)

W.P.[MD]No.7174 of 2022
18.04.2022

SG(CO)
KB(05.05.2022) 2P 4C