



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.04.2022

CORAM:

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P. [MD]No.7237 of 2022

M.Palaniyammal

... Petitioner

Vs.

The Tahsildar,
Bodinayakkanur Taluk Office,
Bodinayakkanur,
Theni District.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent herein to issue patta in the name of the petitioner and one Vannakili @ Annakili in Old Survey No.343, New Survey No.476/9 in extent of 6.82 cents (2976 sq.ft) situated at Bodi-Meenakshipuram Village, Bodinayakkanur Taluk, Theni District based on the sale deed vide Document No.590/2001 dated 26.02.2001 on the file of the Sub Registrar Office, Bodinayakkanur, Theni District and the petitioner's representation dated 23.03.2022.

For Petitioner : Mr.M.Maran

For Respondent : Mr.D.Sasikumar

Additional Government Pleader

O R D E R

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondent to issue patta in the name of the petitioner and one Vannakili @ Annakili for the property in Old Survey No.343, New Survey No.476/9 measuring an extent of 6.82 cents (2976 sq.ft) situated at Bodi-Meenakshipuram Village, Bodinayakkanur Taluk, Theni District based on the sale deed vide Document No.590/2001 dated 26.02.2001, on the file of the Sub Registrar Office, Bodinayakkanur, Theni District and the petitioner's representation dated 23.03.2022, within a time frame to be fixed by this Court.

2.The petitioner claims that she and one Vannakili @ Annakili are the absolute owners of the aforementioned property having purchased the same under a sale deed dated 26.02.2001, on the file of the Sub-Registrar, Bodinayakkanur, Theni District. The petitioner claims that she and one Vannakili @ Annakili are in possession and enjoyment of the same ever since the purchase. The petitioner seeks for issuance of patta in her name and in the name of one Vannakili @ Annakili for the aforementioned property and they have given a representation on 23.03.2022 to the respondent for the said purpose. Since the said representation has not been considered till date, this writ petition has been filed.



3. Heard Mr.M.Maran, learned Counsel appearing for the writ petitioner and Mr.D.Sasikumar, learned Additional Government Pleader who accepts notice on behalf of the respondent.

4. The petitioner has filed the copy of the sale deed under which she claims ownership of the said property. She also claims that she is in possession of the same ever since the purchase.

5. No prejudice would be caused to the 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 rival claimants, if any.

6. For the foregoing reasons, this Court directs the respondent to consider the petitioner's representation dated 23.03.2022, seeking for issuance of patta in the name of the petitioner and one Vannakili @ Annakili in respect of the property comprised in Old Survey No.343, New Survey No.476/9 measuring an extent of 6.82 cents (2976 sq.ft) situated at Bodi-Meenakshipuram Village, Bodinayakkanur Taluk, Theni District and pass final orders on merits and in accordance with law after affording a fair hearing to the petitioner and other rival claimants, if any within a period of twelve [12] weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

MR

To

The Tahsildar,
Bodinayakkanur Taluk Office,
Bodinayakkanur, Theni District.

+1 CC to M/s.M. MARAN, Advocate (SR-19326[F] dated 19/04/2022)

+1 CC to M/s.SPL.GP. (SR-19778[F] dated 20/04/2022)

W.P.[MD]No.7237 of 2022
19.04.2022

VR(CO)

KB(02.05.2022) 2P 4C

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