



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.04.2022

CORAM

THE HONOURABLE MR.JUSTICE **ABDUL QUDDHOSE**

W.P.(MD)No.7474 of 2022

M.Ashok

... Petitioner

vs.

1.The Revenue Divisional Officer,
Kulithalai Taluk, Karur District.

2.The Tahsildar, Kulithalai Taluk,
Karur District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, to direct the second respondent to implement the order of the first respondent dated 12.04.2018 in proceedings MR IV 93K/72 for issuing patta to an extent of 0.48 cents in S.F.No.33 situated at K.Pettai, Thimmatchipuram Village, Kulithalai Taluk, Karur District in the petitioner's family members' name based on the petitioner's representation dated 13.12.2021.

For Petitioner :Mr.M.Suresh

For Respondents :Mr.M.Lingadurai

Special 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 implement the order of the first respondent dated 12.04.2018 under which the first respondent has directed the second respondent to issue patta in favour of the petitioner's father in respect of the property measuring an extent of 48 cents in S.F.No.33 situated at K.Pettai, Thimmatchipuram Village, Kulithalai Taluk, Karur District based on the petitioner's representation dated 13.12.2021 within a time frame to be fixed by this Court.

2.According to the petitioner, his father was the owner of the aforementioned property and after his death, his legal heirs have now become the owners, which includes the petitioner. It is the case of the petitioner that by order, dated 12.04.2018, the first respondent has already directed the second respondent to issue patta in the name of the petitioner's father for the subject property. The petitioner's father died on 19.07.2020. Thereafter, his legal heirs including the petitioner became the owners of the subject property. In such circumstances, the petitioner has given a representation, dated 13.12.2021 to the respondents seeking for



issuance of patta in the name of the legal heirs of the deceased Muthukaruppan. Since the said representation has not been considered till date, he has filed this Writ Petition.

3.Heard Mr.M.Suresh, learned Counsel for the petitioner and Mr.M.Lingadurai, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4.The petitioner has filed documents along with the Writ Petition, which includes the order of the first respondent, dated 12.04.2018 directing the second respondent to issue patta in favour of the petitioner's father, Muthukaruppan. The petitioner's father died on 19.07.2020 and thereafter, his legal heirs became the owners of the aforementioned property. The petitioner is also one among his legal heirs. The petitioner has made a representation on 13.12.2021 seeking for issuance of patta in the joint names of the legal heirs of the deceased Muthukaruppan for the subject property.

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

6.For the foregoing reasons, this Court directs the second respondent to consider the petitioner's representation, dated 13.12.2021 seeking for issuance of patta in the joint names of the legal heirs of the deceased Muthukaruppan for the property measuring an extent of 48 cents in S.F.No.33 situated at K.Pettai, Thimmatchipuram Village, Kulithalai Taluk, Karur District in the light of the letter of the first respondent, dated 12.04.2018 referred to supra 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 second respondent deems fit to enquire within a period of twelve 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 (AD-I)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

cmr



To

1.The Revenue Divisional Officer,
Kulithalai Taluk, Karur District.

2.The Tahsildar, Kulithalai Taluk,
Karur District.

+1 CC to M/s.M. SURESH, Advocate (SR-19951[F] dated 21/04/2022)

+1 CC to M/s.SPL.GP (SR-20120[F] dated 21/04/2022)

Order made in
W.P. (MD)No.7474 of 2022
20.04.2022

KS (CO)

GC(02.05.2022) 3P 5C