

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED 29.09.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.22976 of 2022

Samuthirakani

..Petitioner

Vs

1.The District Collector,
Tenkasi District,
Tenkasi.

2.The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.

3.The Revenue Divisional Officer,
Sankarankovil,
Tenkasi District.

4.The Tahsildar,
Sivagiri Taluk,
Tirunelveli District.

5.The Village Administrative Officer,
Sanganapery Village,
Tirunelveli District.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 3rd Respondent to issue Patta in favour of the petitioner, pursuant to the Enquiry conducted by the 3rd Respondent in his proceedings in Na.Ka.A2/336/2020, dated 17.12.2021 within the stipulated time as fixed by this Court.

For Petitioner :Mr.C.Mayilvahana Rajendran
For Respondents :Mr.D.Gandhiraj
Special Government Pleader

ORDER

This Writ Petition has been filed to direct the 3rd respondent to issue Patta in favour of the petitioner, pursuant to the enquiry conducted by the 3rd respondent in Na.Ka.A2/336/2020, dated 17.12.2021.

2.By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The learned counsel for the petitioner would submit that when the petitioner was minor, her grandfather, namely T.Chinna Sundaram has executed a settlement deed in her favour, vide Document No.1576 of 1962 dated 25.07.1962. Later, the petitioner's father had sold some of the properties, which were given to the petitioner by her grandfather, to some other person through a settlement deed, as the petitioner was minor at that time. As against the same, the petitioner filed a suit in O.S.No.12 of 1992 on the file of the learned District Munsif, Sivagangai and later, obtained a decree in her favour.

4.After obtaining the decree, the petitioner made several representations to the respondents herein seeking patta for the petition mentioned properties in

her favour. Even though several steps have been taken by the respondents, so far no patta has been issued to the petitioner. By narrating all those facts, the petitioner made a representation finally to the 3rd respondent, in pursuance of which, by proceedings dated 17.12.2021, the 3rd respondent sent an enquiry notice to the petitioner asking her to appear for enquiry on 30.12.2021. On receipt of the enquiry notice, the petitioner appeared before the enquiry officer and produced all the relevant records. Even thereafter, the 3rd respondent did not issue patta. Hence, left with no other alternative, the petitioner is before this Court with the aforesaid relief.

5.Mr.D.Gandhiraj, learned Special Government Pleader, who takes notice for the respondents, on instructions, would submit that the petitioner's request with regard to issuance of patta will be considered within a period of four weeks.

6.Recording the submission of the learned Special Government Pleader, this Court directs the 3rd respondent to consider the request of the petitioner regarding issuance of patta for the petition mentioned properties and pass final orders on the representation of the petitioner on or before 04.11.2022, in the light of the enquiry conducted by him dated 17.12.2021 in Na.Ka.A2/336/2020.

V.BHAVANI SUBBAROYAN,J

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7.With the aforesaid direction, this Writ Petition stands disposed of. No costs.

Index : Yes/No
Internet : Yes/No
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29.09.2022

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ORDER MADE IN
W.P(MD)No.22976 of 2022