



W.P.(MD).No.26053 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.11.2022

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.26053 of 2022

Palaniyandi

... Petitioner

vs.

1.The District Collector,
Pudukottai District,
Pudukottai.

2.The Revenue Divisional Officer,
Vannan Kovil,
Srirangam,
Trichy District.

3.The Tahsildar,
Srirangam Taluk,
Trichy District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to consider the petitioner's representation dated 23.05.2022 and to issue patta to the land in old Survey Nos.334 and 267/1, New Survey Nos.225 and 234 to an extent of 1.43 acres and 7 cents situated at Olaiyur Village, Srirangam Taluk, Trichy District, in petitioner's name.

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For Petitioner : Mr.N.Ananda Kumar
For R1 to R3 : Mr.D.Gandhiraj
Special Government Pleader

ORDER

This writ petition has been filed for issuance of a Writ of Mandamus, directing the respondents 2 and 3 to consider the petitioner's representation dated 23.05.2022 and to issue Patta to the land in old Survey Nos.334 and 267/1, New Survey Nos.225 and 234 to an extent of 1.43 acres and 7 cents situated at Olaiyur Village, Srirangam Taluk, Trichy District, in petitioner's name.

2. The case of the petitioner is that he is the only legal heir of his father viz., Ramu Udaiyar. The brother of the Ramu Udaiyar viz., Pitchai Udaiyuar was unmarried man and died on 28.03.1982. In the year 2019, the petitioner has filed a petition before the Revenue Divisional Officer and obtained death certificate for his paternal uncle. Based on which, he filed a suit in O.S.No.18 of 2020 before the District Munsif Court, Keeranur and obtained judgment dated 30.04.2021. Pursuant to which,

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the Tahsildar, Kulathur, has issued a legal heir certificate. Further, the petitioner's paternal uncle during his life time has purchased a property in Old S.Nos.334 and 267/1, New Survey Nos.225 and 234 to an extent of 1.43 acres and 7 cents situated at Olaiyur Village, Srirangam Taluk, Trichy District, through registered sale deed on 25.10.1976. After getting the death certificate and the legal heir certificate of his paternal uncle, the petitioner has sent a representation dated 23.05.2022, to the respondents to issue patta in his name relating to the aforesaid mentioned property. So far no action has been taken, the present writ petition has been filed.

3. When the matter is taken up for hearing today, the learned Special Government Pleader appearing for the respondents would submit that as per the instruction from the Village Administrative Officer, Tiruchirapalli District, for the property which stands in the name of Pitchai, S/o. Subramani, Patta No.381 was issued and regarding other S.No.38/15, that stands in the name of some other third party viz., Chellammal and the petitioner claiming Patta for that survey numbers, which cannot be issued as the petitioner sent a representation quoting the



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old survey numbers.

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4. Heard Mr.N.Anandakumar, learned counsel appearing for the petitioner and Mr.D.Gandhiraj, learned Special Government Pleader appearing for the respondents 1 to 3.

5. Considering the submission made by the learned Special Government Pleader, this Court directs the respondents 2 and 3 to correlate the same with the present survey numbers and pass appropriate orders, on merits and in accordance with law, after affording opportunity to all the parties concerned, within a period of eight weeks from the date of receipt of a copy of this order.

6. With the above direction, this Writ Petition is disposed of. No costs.

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Index:Yes/No
Internet:Yes/No

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To

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V.BHAVANI SUBBAROYAN,J.

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