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W.P.No.1357 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2023

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P.No.1357 of 2023

Shanthi .. Petitioner

vs

1. The Tahsildhar
Office of Thasildar
Sankagiri
Salem District – 637 301.

2. The Revenue Divisional Officer
Office of R.D.O
Sankagiri, Salem – 637 301.

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents to consider the petitioner representation dated 21.09.2022 for issuance of patta pertaining to the property in Survey No.783 measuring 3621 square feet situated in ward No.3 Kalamman Kovil Street Chinnagounder Village Sankagiri District within a time frame by this Honourable Court.

For Petitioner : Mr.A.Arokia Satheesh

For Respondents : Mr.R.P.Muruganraja
Government Advocate



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ORDER

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Prayer sought for herein is for a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 21.09.2022 for issuance of patta pertaining to the property in Survey No.783 measuring 3621 sq.ft situated in ward No.3, Kaliamman Kovil Street, Chinnagounder Village, Sankagiri District within a time frame.

2. In respect of property at Survey No.783 to the extent of 3621 sq.ft at ward No.3, Kaliamman Kovil Street, Chinnagounder Village, Sankagiri District, it is the claim of the petitioner that it is a grama natham, where, from the petitioner's father, the petitioner and other brothers having been in possession and enjoyment of the property. Therefore, they want patta to be issued in their names in respect of the land in question. Hence, they have given a representation on 21.09.2022 to the second respondent and in order to consider the said representation, the petitioner had moved the present writ petition.

3. Heard Mr.A.Arokia Satheesh, learned counsel for the petitioner and Mr.R.P.Muruganraja, learned Government Advocate appearing for the respondents.



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4. Mr.R.P.Muruganraja, learned Government Advocate would submit that, if the land in question is a grama natham, where the petitioner and other legal heirs are able to establish that they have been in continuous possession and enjoyment of the grama natham property, that would be verified and after due enquiry necessary action would be undertaken by the second respondent on the representation filed by the petitioner dated 21.09.2022.

5. Considering the said submissions made by the learned Government Advocate, appearing for the respondents, this Court is inclined to dispose of this writ petition with the following orders:

That there shall be a direction to the second respondent to consider the representaion of the petitioner dated 21.09.2022 and decide the same after conducting enquiry with the petitioner as well as the other legal heirs of the petitioner's father, who had been initially in possession of the land in question and accordingly, pass necessary orders to that effect within a period of eight weeks from the date of receipt of a copy of this order.



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6. With these directions, this writ petition is disposed of. There will be no order as to costs.

20.01.2023

Index: Yes/No

Neutral Citation: Yes/No

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To

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R. SURESH KUMAR, J.

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