



WEB COPY



W.P. No.3767 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2023

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.3767 of 2023

Sanjeeda

... Petitioner

Vs.

The Tahsildar,
Avinashi Taluk,
Tiruppur District – 641 654.

... Respondent

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondent to consider the application of the petitioner dated 30.04.2022 seeking for grant of patta in respect of the property bearing S.F.No.632 to an extent of acre 1.43 cents, S.F.No.596 to an extent of acre 0.50 cents, situated at Kanur Village, Avinashi Taluk, Tiruppur District and other parts as it originally belongs to the grandfather of petitioner namely Moideen Sahib.

For Petitioner : Mr.N.Umapathi

For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondent to consider the application of the petitioner dated 30.04.2022 seeking for grant of patta in respect of the property bearing S.F.No.632 to an extent of acre 1.43 cents, S.F.No.596 to an extent of acre 0.50 cents, situated at Kanur Village, Avinashi Taluk, Tiruppur



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District and other parts as it originally belongs to the grandfather of petitioner namely Moideen Sahib.

2. In respect of property at S.F.No.632 and S.F.No.596 situated at Kanur Village, Avinashi Taluk, Tiruppur District is concerned i.e., the claim of the petitioner is that, the property belongs to the petitioner's grandfather one Moideen Sahib from whom the properties have been inherited by all legal heirs including the petitioner and in this regard according to the petitioner, the Principal District Munsif Court, Avinashi had issued a Succession Certificate to all the legal heirs, therefore the legal heirs including the petitioner sought for issuance of joint patta to the property in question in favour of them, therefore on their behalf, the petitioner had given representation/application on 30.04.2022 to the respondent and in order to consider the said application and to pass orders thereon, the petitioner has moved the present writ petition with the aforestated prayer.

3. Heard Mr.N.Umapathi, learned counsel appearing for the petitioner and Mr.Yogesh Kannadasan, learned Special Government Pleader appearing for the respondent who would submit that, the said



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application submitted by the petitioner seeking joint patta in the name of all the legal heirs including the petitioner in respect of the land in question would be considered and decided on merits and in accordance with law within a time frame that may be stipulated by this Court.

4. Considering the said submission made by the learned Special Government Pleader for the respondent, this Court is inclined to dispose of this writ petition with the following orders:

There shall be a direction to the respondent to consider the application of the petitioner dated 30.04.2022 and pass orders thereon on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

5. With this direction, this Writ Petition is disposed of. No costs.

09.02.2023

Index : Yes / No
Speaking Order : Yes / No
Sgl

R.SURESH KUMAR, J.



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To

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