



W.P.(MD) No.1684 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.1684 of 2020

P.N.Mohamed Maideen

... Petitioner

Vs.

1.The Assistant for Land Survey and Settlement,
O/o. the Land Survey and Settlement Office (North),
Survey House,
Chepauk,
Chennai-5.

2.The Assistant for Land Survey and Settlement,
O/o. the Land Survey and Settlement Office,
Thanjavur,
Thanjavur District.

3.The Thasildar,
O/o. the Thasildar Office,
Paddukkottai Taluk,
Thanjavur District.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India,
praying for issuance of Writ of Mandamus, to direct the first respondent
to mutate the patta in the name of the petitioner and his brothers in



W.P.(MD) No.1684 of 2020

respect of the property situated in Survey No.531/2.0.17.5, 531/5-0.95.5, 531/6 to an extent of 0.80.0-532/1-1.59.5 Hectare at about 9 acre situated at No.204, Maharaja Samuthram Village in conformity with the order passed by the second respondent vide his proceedings in Tha.Pa. 27/EO/Pattu/87, dated 01.03.1988.

For Petitioner : Mr.C.Venkatesh Kumar

For Respondents : Mr.D.Gandhiraj
Special Government Pleader

ORDER

The above writ petition is filed seeking for a mandamus to the first respondent to mutate the patta in the name of the petitioner and his brothers in respect of the property situated in Survey No.531/2.0.17.5, 531/5-0.95.5, 531/6 to an extent of 0.80.0-532/1-1.59.5 Hectare, about 9 acre, situated at No.204, Maharaja Samuthram Village in conformity with the order passed by the second respondent vide his proceedings in Tha.Pa.27/EO/Pattu/87, dated 01.03.1988.



W.P.(MD) No.1684 of 2020

WEB COPY

2. In compliance of the order passed by the second respondent in his proceedings in Tha.Pa.27/EO/Pattu/87, dated 01.03.1988, the records would show that originally the property in question belonged to petitioner's father Late Noor Mohamed. Upon his demise, the petitioner and his brothers had inherited the property. While so, a dispute arose in respect of the property and ultimately the dispute was resolved by the second respondent in his proceedings dated 01.03.1988 in Tha.Pa. 27/EO/Pattu/87. Though the second respondent had directed the first respondent to transfer the patta to the respective persons as set out in the order of the second respondent, the first respondent has not complied with the direction. Therefore, the petitioner has come forward with the present writ petition.

3. After the arguments, the learned Special Government Pleader submitted that if a fresh application with attendant documents and fees are paid, the respondents would effect the sub-division and mutation of patta.



W.P.(MD) No.1684 of 2020

WEB COPY

4. The second respondent has clearly settled the dispute between the rival claimants and has allocated specific properties to each of them which is evident from the order dated 01.03.1988. However, taking into account the long gap, the petitioner is directed to apply online for grant of patta with all the attendant documents and requisite fees. On such application being uploaded, the respondents shall dispose of the same within a period of six weeks.

5. With the above direction, this Writ Petition is allowed. No costs.

09.03.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes
cp

To

11.The Assistant for Land Survey and Settlement,
O/o. the Land Survey and Settlement Office (North),
Survey House,
Chepauk,
Chennai-5.



W.P.(MD) No.1684 of 2020

WEB COPY

2.The Assistant for Land Survey and Settlement,
O/o. the Land Survey and Settlement Office,
Thanjavur,
Thanjavur District.

3.The Thasildar,
O/o. the Thasildar Office,
Paddukkottai Taluk,
Thanjavur District.



WEB COPY



W.P.(MD) No.1684 of 2020

P.T.ASHA, J.

cp

W.P.(MD) No.1684 of 2020

Dated: 09.03.2023