



W.P.(MD)No.4462 of 2021

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 12.10.2023

CORAM:

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.(MD)No.4462 of 2021

Anthoniummal

... Petitioner

Vs.

1.The Tahsildar,
Thoothukudi Taluk,
Tuticorin District.

2.Kaliraj

...Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the first respondent to consider her representation dated 05.10.2020 for making necessary modification in Patta No.8502 in Survey No.236/4, 236/5, 236/6 at Thirumalapuram, Kadambur Village, Kayathar Taluk, Thoothukudi District.

For Petitioner : Mr.R.Jegadeeswaran

For R1 : Mr.K.S.Selvaganesan

Additional Government Pleader

For R2 : Mr.C.Masilamani

ORDER

This writ petition has been filed for the issue of writ of mandamus directing the first respondent to consider the representation made by the



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petitioner, wherein the petitioner sought for modification in patta No.8502 and for adding her name and names of the other legal heirs in the patta.

2.When the matter was taken up for hearing, the learned Additional Government Pleader appearing on behalf of the first respondent submitted that a separate land was assigned in favour of the second respondent and assignment patta was granted in favour of the second respondent. Insofar as the petitioner is concerned, some other land was assigned in favour of the husband of the petitioner and he did not comply with the conditions of the assignment. He further submitted that the petitioner does not have the right to seek for adding her name or the names of the other legal heirs in the patta that has been granted in favour of the second respondent.

3.The learned counsel for the second respondent also reiterated the submission that was made by the learned Additional Government Pleader.

4.In light of the specific stand that has been taken by the respondents, there is no scope for considering the representation made by the petitioner, wherein the petitioner seeks to add her name and names of the other legal heirs in the patta with respect to the property that was assigned in favour of the



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second respondent. If at all the assignment made in the name of the husband of the petitioner is in subsistence, it is left open to the petitioner to workout her remedy in accordance with law.

5.This writ petition is disposed of with the above direction. No costs.

12.10.2023

NCC : Yes / No
Index : Yes/No
Internet : Yes/No
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To

The Tahsildar,
Thoothukudi Taluk,
Tuticorin District.



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N.ANAND VENKATESH, J.

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