



W.P(MD)No.6475 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE C.V.KARTHIKEYAN

W.P(MD)No.6475 of 2023

R.Arumugam

... Petitioner

Vs.

1.The District Collector
District Collectorate,
Trichy District.

2.The District Adi Dravidar and Tribal Welfare Officer,
District Adi Dravidar and Tribal Welfare Officer,
District Collectorate,
Trichy District.

3.The Tahsildar
Taluk Office,
Thiruverumbur,
Trichy District.

... Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to transfer the patta in the name of the petitioner pertaining to the property



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in Survey No.270/28, Vazhavanthan Kottai, Thiruverumbur Taluk, Trichy District, admeasuring 1 acre 8 cents in the light of the civil Court decree and register the petitioner's name in the revenue records by considering the representation of the petitioner dated 31.01.2022 and 03.02.2022.

For Petitioner : Mr.S.C.Herold Singh

For Respondents : Mr.D.S.Nedunchezian,
Government Advocate

ORDER

The father of the petitioner, had instituted a suit in O.S. No.1775 of 1985 on the file of the District Munsif Court, Trichy, seeking recovery of possession of the property at Survey No.270/28 Vazhavandhan Kottai Village, Thiruverumbur Taluk, Trichy District, totally measuring 1.8 acres. The suit was decreed. However, even before the decree could come to be passed, he died. The petitioner is one of the sons and all his brothers and sisters, came to be impleaded as plaintiffs. In the decree all their names are found. The petitioner is the seventh plaintiff.



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2. Thereafter, it is stated by the learned counsel for the petitioner that there was an internal partition among the family members. The petitioner had then filed a representation seeking grant of patta in his name. However, that cannot be granted. The petitioner must file an application through proper procedure seeking patta for the portion for which he had obtained under the partition and all his other brothers and sisters must also be put on notice and they must also be given the same privilege of grant of patta of their respective possession. The other alternate is for all of them to jointly apply for patta, measure the entire area and then divide the area into metes and bounds. The option is left with the petitioner herein. But it is imperative that all the family members join together in such application.

3. Let an online application be made in that particular manner. When the online application is made, the third respondent / Tahsildar, Thiruverumbur, Trichy District, is directed to issue notice not only to the petitioner herein, but all the applicants / all brothers and sisters of the petitioner and make an enquiry about their holding and then



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take a decision about grant of patta in the exclusive name of the petitioner and also in the names of all his brothers and sisters. The entire exercise should be completed within a period of sixteen (16) weeks from the date on which the online application is made by the petitioner herein.

4. With the above direction, this writ petition is disposed of.

No costs.

27.03.2023

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

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C.V.KARTHIKEYAN, J.

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