



W.P(MD)No.28133 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.01.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.28133 of 2022

and

W.M.P.(MD)No.22211 of 2022

Sathiyendran

... Petitioner

Vs.

The Tahsildar,
Taluk Office,
Ramanathapuram Taluk & District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the respondent in Proceeding No.Pa.Mu(A7) /4720/2022, dated 30.08.2022 and quash the same as illegal, improper, unlawful and unconstitutional and consequently, direct the respondent to issue separate patta in lieu of the existing Joint Patta No.1535 names of the petitioner's father Palanivel (late) and his brothers Murugan and Kathirvel (late) in petitioner's favour and in favour of petitioner's younger brother Kulandaisamy, petitioner's paternal uncle R.Murugan and petitioner's cousin brother Shanmugarajeswaran.



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For Petitioner : Mr.T.Selvakumaran
For Respondent : Mr.M.Lingadurai
Special Government Pleader

ORDER

Heard the learned counsel on either side.

2.The petitioner requests for issuance of separate patta had been rejected by the respondent vide order dated 30.08.2022. The petitioner has anchored his case on a family arrangement. Since it was not registered, the respondent declined to consider the petitioner's request. It is well settled that family arrangement does not require registration.

3.In that view of the matter, the impugned order is set aside. The petitioner is permitted to file a fresh application before the respondent. Notice as regards said application shall be issued to all the other pattadars by the respondent. After enquiring all the other pattadars, if the respondent finds that the family arrangement is genuine, the petitioner will be issued with separate patta. In other words, the petitioner's request will not be rejected only on the ground that the family arrangement has not registered.



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4.The writ petition is disposed of on these terms. No costs.

Consequently, connected miscellaneous petition is closed.

27.01.2023

NCS : Yes / No

Index : Yes / No

Internet : Yes/ No

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To

The Tahsildar,
Taluk Office,
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G.R.SWAMINATHAN, J.

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