



W.P.No.23588 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.08.2024

CORAM

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

W.P.No.23588 of 2024
and WMP.No.25800 of 2024

Vijaya

... Petitioner

VS.

The Tahsildar,
Office of the Tahsildar,
Peranampet Taluk,
Vellore District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorified Mandamus, to call for the records pertaining to impugned order of passed by the respondent in File No.2024/0105/04/363659, dated 29.05.2024 and quash the same as illegal, incompetent and without jurisdiction and further direct the respondent to issue separate patta in respect of the property of land measuring to an extent of Hectors 0.50.50 comprised in Survey No.39/1B1 property of land situated at Erukkampatti Village, Peranampet Taluk, Vellore District without insisting the parent document by the consideration of the petitioner's application dated 30.03.2024 within a time frame.



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W.P.No.23588 of 2024

For Petitioner : Ms.G.Jayashree

For Respondents : Mr.S.J.Mohamed Sathik
Government Advocate

ORDER

The petitioner herein challenges the order passed by the respondent rejecting her request for grant of patta in respect of land situated in S.No.39/1B1 on the ground that she failed to submit title documents.

2. It is the case of the petitioner that the above mentioned property was allotted to her share in the final decree passed in I.A.No.367 of 2018 in O.S.No.198 of 2013 on the file of District Munsif Court, Gudiyatham Taluk. Originally the revenue records stood in the name of petitioner and other co-sharer and now by virtue of the decree passed in the partition suit, the petitioner claims an exclusive patta over the portion of the property allotted to her in final decree. The impugned order was passed by the respondent only on the ground that the petitioner failed to submit the title documents to substantiate her claim over the property. Therefore, without going into the merits of the claim of the petitioner, she is directed to



W.P.No.23588 of 2024

make a fresh application before the respondent seeking exclusive patta by submitting the final decree passed in I.A.No.367 of 2018 in O.S.No.198 of 2013 on the file of District Munsif Court, Gudiyatham Taluk along with delivery account. If any fresh application is submitted by the petitioner along with requirement document cited supra, the respondent is directed to consider the same and pass necessary orders within a period of six weeks from the date of submission of the fresh application.

3. Accordingly, this writ petition is disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

23.08.2024

Index : Yes/No
Speaking order: Yes/No
Neutral Citation: Yes/No
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To
The Sub Registrar,
Office of the Sub Registrar Office,
Jalagandapuram,
Salem District.

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W.P.No.23588 of 2024

S.SOUNTHAR, J.

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W.P.No.23588 of 2024

23.08.2024