



WEB COPY



W.P. No.18907 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.18907 of 2024

Rajammal

... Petitioner

Vs

The Tahsildar
Taluk Office
Mettur
Salem District

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondent to consider petitioner's application dated 16.11.2023 seeking mutation of patta in respect of the lands situate in S. No.53/1, Pukkampatti Village, Mettur Taluk, Salem District within a time frame to be fixed by this court.

For Petitioner : Mr.T.Deeraj
for PV Law Associates

For Respondent : Mr.A.Selvendran,
Spl. Govt. Pleader

ORDER



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This writ petition has been filed for a direction to the respondent to consider petitioner's application dated 16.11.2023 seeking mutation of patta in respect of the lands situate in S. No.53/1, Pukkampatti Village, Mettur Taluk, Salem District.

2. Heard the learned counsel for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

3. It is the grievance of the petitioner that the property of an extent of 2.20 Acres comprised in Survey No.53/1A1, Pukkampatti Village, Mettur Taluk, Salem District, belonged to petitioner's mother. She bequeathed the subject property in favour of the petitioner and the petitioner is the absolute owner and is in possession of the property. While things stood thus, petitioner's brother attempted to interfere with the peaceful possession of the subject property. Hence the petitioner has filed a suit for declaration in O.S. No.20 of 1990 on the file of District Munsif, Mettur and the same was decreed. As against the said judgment and decree no appeal was preferred. Hence the decree



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attained finality. In the meantime, the petitioner had submitted an application on 28.11.2019 and 16.11.2023 for mutation of patta in respect of the subject property. As no action was taken by the respondent she had sent a representation on 14.05.2024. Since the same state of affairs continues on the part of the respondent, she has filed this writ petition.

4. Considering the limited relief sought in this writ petition, the second respondent is directed to consider the application of the petitioner dated 16.11.2023 and also the representation of the petitioner dated 14.05.2024 for mutation of patta, on merits and in accordance with law, after giving notice to any other interested persons. Such exercise shall be completed within a period of six weeks from the date of receipt of copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

16.07.2024

Asr

N.SATHISH KUMAR, J.



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Asr

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To

1.The Tahsildar
Taluk Office
Mettur
Salem District

2.The Government Pleader, High Court, Madras

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