



WEB COPY

W.P.No.19693 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2024

CORAM:

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.19693 of 2024

1.M.Thangarasu

2.G.Jayalakshmi

...

Petitioners

versus

The District Collector,

Namakkal,

Namakkal District.

2.The Revenue Divisional Officer

Rasipuram,

Namakkal District.

3.The Tahsildar,

Rasipuram,

Namakkal District.

...

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the 2nd respondent to consider the petitioner's appeal/representation dated 13.03.2024 requesting to issue patta in favour of the petitioners for the land properties comprised in S.No.37/2A measuring an extent of 0.35cents and in S.No.37/6 an extent of 45cents, 0.06 ½ cents, 120 sq.fts 0.03 cents and 0.02 situated at Mullukkurichi village, Rasipuram Taluk, Namakkal District based on the



partition deed dated 10.04.1985 vide document No.322 of 1985 registered with the sub registrar office, Thammampatti.

For Petitioners : Ms.R.Govindasamy
For Respondents : Mr.A.Selvendran
Special Government Pleader

ORDER

By consent of both sides, this Writ Petition is disposed of at the stage of admission itself.

2. The case of the petitioner is that he inherited the property by way of partition deed dated 10.04.1985 between his father and the family members. The petitioner submitted a representation to the respondents 1 and 2 on 07.03.2022 to issue joint patta. The 2nd respondent by his proceedings No.OM.Mu.No.2056/2022/A6 dated 16.03.2022 directed the 3rd respondent/Tahsildar to conduct enquiry and to submit a report. The 3rd respondent without giving an opportunity of hearing and without verifying the revenue records and partition deed dated 10.04.1985 in Doc.No.332/1985, passed the order of rejection. As against the same, the petitioner filed an appeal before the respondents 1 and 2 which is pending. The 2nd respondent has not taken any action on the appeal/representation of



the petitioner and forwarded the same to the 3rd respondent on 23.05.2024.

O.Mu.No.1877/2024/A6, hence, the present writ petition.

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3. Heard the learned counsel for the petitioner and the learned Special Government Pleader for the respondent and perused the materials available on record.

4. Considering the limited nature of the relief sought for in the present Writ Petition, there shall be a direction to the second respondent to dispose of the appeal pending on his file in O.Mu.No.1877/2024/A6 dated 23.05.2024 and pass appropriate orders on the same for issuance of patta in the name of the petitioners, after giving notice to the neighbouring land owners and any other interested persons, within a period of two months from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

24.07.2024

Speaking order / Non-speaking order

Index : Yes / No

Neutral Citation : Yes / No

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To
The District Collector,
Namakkal,
Namakkal District.

2.The Revenue Divisional Officer
Rasipuram,
Namakkal District.

3.The Tahsildar,
Rasipuram,
Namakkal District.



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N.SATHISH KUMAR, J.

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