



W.P.(MD)No.1120 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P(MD)No.1120 of 2024

M.Petchipandi

... Petitioner

Vs

1.The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.

2.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents to dispose of the representation given by the petitioner, dated 09.10.2023 on merits within a time as may be stipulated by this Court.

For Petitioner : Mr.K.Jeyamohan

For Respondents : Mr.P.Thambidurai
Government Advocate

ORDER

The petitioner has prayed for issuance of a Writ of Mandamus, directing the respondents to dispose of the representation given by the petitioner, dated



W.P.(MD)No.1120 of 2024

09.10.2023 on merits within a time as may be stipulated by this Court.

WEB COPY

2. Heard Mr.K.Jeyamohan, learned counsel appearing for the petitioner and Mr.P.Thambidurai, learned Government Advocate appearing for the respondents.

3. By consent, this writ petition is disposed of at the admission itself.

4. According to the petitioner, the property in S.No.323/8 situated in Puliyanakudi Village, Kadayanallur Taluk, Tenkasi District measuring to an extent of 10 cents was purchased by his father Periya Muthaiah Thevar through a registered sale deeds, dated 24.11.2010, 09.03.2011 and 16.11.2011. From the date of purchase, he is in possession and enjoyment of the property. Thereafter, through a settlement deed, dated 30.03.2012 the petitioner's father has settled the above said property in favour of all his legal heirs including the petitioner, his siblings namely Thirupathi, Thuraichi, Madasamy and Petchi Thuraichi. Subsequently, the petitioner's brother Madasamy passed away without any legal heirs and his share devolved upon other surviving legal heirs. In the meantime, the second respondent has wrongly entered their names in respect of S.No. 328/8 to an extent of 71.5 cents instead of s.No.323/8 to an extent of 10 cents and they are not owned any property in Survey No.328/8. They are only legally



W.P.(MD)No.1120 of 2024

entitled to patta in respect of the property in S.No.323/8 situated in Puliyankudi Village, Kadayanallur Taluk, Tenkasi District measuring to an extent of 10 cents. The petitioner has sent a representation dated 09.10.2023 requesting the respondents to grant patta. Since the respondents have not taken any action, the petitioner has approached this Court by way of filing the present Writ Petition for the relief stated supra.

5. The learned Government Advocate appearing for the respondents would submit that appropriate direction may be given to the respondents to dispose of the petitioner's representation, dated 09.10.2023, in accordance with law, within a time frame.

6. Considering the limited scope of the prayer sought for by the petitioner, without going into the merits of the matter, this Court directs the first respondent to hold an enquiry and to consider the petitioner's representation, dated 09.10.2023, pass orders on merits and in accordance with law after affording an opportunity to all the parties concerned. Such exercise shall be completed within a period of six (6) weeks from the date of receipt of a copy of this order.



W.P.(MD)No.1120 of 2024

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

WEB COPY

22.01.2024

Index : Yes/No
Internet: Yes/No
am

To

1.The Revenue Divisional Officer,
Tenkasi,
Tenkasi District.

2.The Tahsildar,
Kadayanallur Taluk,
Tenkasi District.



WEB COPY



W.P.(MD)No.1120 of 2024

V.BHAVANI SUBBAROYAN, J.

am

W.P(MD)No.1120 of 2024

22.01.2024