



W.P(MD)No.3642 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.02.2024

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.3642 of 2024

Muthulakshmi

... Petitioner

Vs.

The Thasildar,
Taluk Office,
Kulithalai (Taluk),
Karur District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent to issue separate Patta to the petitioner in her name from the properties of Survey Nos.21/7 with an extent of 0.74.00 Ares - Patta No.1996 and Survey No.31/5A with an extent of 0-91.50 Ares - Patta No.1672, situated at Vadacheri Village, Kulithalai Taluk, Karur District on the basis of her settlement deeds of Doc. Nos.4567/2021 dated 23.08.2021 and 714/2022 dated 04.02.2022 registered at Sub - Registrar Office, Trichy.

For Petitioner : Mr.R.Murugappan

For Respondent : Mr.K.S.Selvaganesan,
Addl. Government Pleader.



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ORDER

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Heard both sides.

2.The petitioner is figuring as joint pattadar in Patta No.1672 issued by the Tahsildar, Kulithalai. The other pattadars are Chinna Ammal, Palaniyandi and Karichiyappan. The petitioner seeks separate patta. She also seeks similar relief in respect of Patta No.1996.

3.When the matter was taken up for hearing, the learned Additional Government Pleader submitted that enquiry has since commenced and that final order will be passed within a period of ten weeks from the date of receipt of a copy of this order. The said submission is recorded.

4.I must clarify that in case of joint patta, if one person wants issuance of separate patta then he or she must obtain the consent from the co-pattadars. If their consent is not forthcoming, the only remedy open to the applicant is to go before the jurisdictional Civil Court.



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5. With this clarification and by recording the stand of the respondent that final order will be passed within the aforesaid period, this writ petition is disposed of. No costs.

19.02.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
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To:

The Thasildar,
Taluk Office,
Kulithalai (Taluk),
Karur District.



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G.R.SWAMINATHAN, J.

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