



W.P(MD)No.5183 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **05.01.2024**

CORAM:

THE HONOURABLE **MR.JUSTICE B.PUGALENDHI**

W.P.(MD)No.5183 of 2017

A.N.Nallama Naidu

... Petitioner

/Vs./

1.The District Collector,
Theni District.

2.The Tahsildar,
Andipatti Taluk,
Theni District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the second respondent to issue patta to the petitioner to his land, ad-measuring 2 acres 93 cents comprised in S.No.20/1A in Kadamalaikundu Village in Andipatti Taluk in Theni District by passing order in his proceeding in Na.Ka.No.11190/2010/B1.

For Petitioner : Mr.R.Suriya Narayanan
For Respondents : Mr.A.Baskaran
Additional Government Pleader



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ORDER

The petitioner has approached this Court in the year 2017 with a grievance that his application for grant of patta to his land in Survey No.20/1A situated at Kadamalaikundu Village, Andipatti Taluk, Theni District, has not been considered by the respondents.

2.When this writ petition is taken up for hearing, based on the written instructions from the Tahsildar, the learned Additional Government Pleader submits that the petitioner died three years back. The respondents have issued notice to the legal heirs of the petitioner, but they have not turned up. Therefore, the application of the petitioner was not processed. He further submits that during UDR, the entire land has been sub divided and now lands are in the names of Duraisamy S/o.Azhagarsamy Naidu, Vijayaram S/o.Subbanaidu, Vanaraj S/o.Subbanaidu and Velmurugan S/o.Subbanaidu.

3.Considering the submission made by the learned Additional Government Pleader that the petitioner died and the property in question is also subdivided and transferred to some other persons, this writ petition is disposed of with liberty to the legal heirs of the petitioner to file necessary application seeking change of



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patta within a period of four weeks from the date of receipt of a copy of this order before the second respondent/Tahsildar. If any such application is filed, the second respondent shall conduct an enquiry by providing opportunity of hearing to the legal heirs of the petitioner and the person, in whose name the patta now stands and shall take a decision within a period of four months therefrom. No costs.

05.01.2024

Index : Yes / No

Internet : Yes / No

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B.PUGALENDHI,J.

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