



WP(MD)No.27699 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **20.11.2024**

CORAM

THE HON'BLE MRS.JUSTICE N.MALA

W.P(MD)No.27699 of 2024

Seenithai

...Petitioner

Vs.

1.The Revenue Divisional Officer,
Palani Taluk,
Dindigul District.

2.The Tahsildar,
Vedasandur Taluk,
Dindigul District.

...Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India to issue a writ of mandamus directing the second respondent to include the legal heirs of Mr.Perumal in the existing patta number 1492 in respect of the survey number 433 to the extent of 1.90 Hectares situated at Kalvarpatti Village, Vedasandur Taluk, Dindigul District on the basis of the application filed by the petitioner dated 06.11.2024 within a time stipulated by this Court.

For Petitioner	: M/s/Balameenakshi
For R1 & R2	: Mr.M.Muthumanikkam
	Government Advocate Civil side



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ORDER

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This Writ Petition is filed for issuance of writ of mandamus directing the second respondent to include the legal heirs of Mr.Perumal in the existing patta number 1492 in respect of the survey number 433 to the extent of 1.90 Hectares situated at Kalvarpatti Village, Vedasandur Taluk, Dindigul District, on the basis of the application filed by the petitioner dated 06.11.2024, within a time stipulated by this Court.

2. With consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3. The property in S.No.433, situated at Kalvarpatti Village, Vedasandur Taluk, Dindigul District to an extent of 2 acres 34 ½ cents was purchased by the petitioner's father vide sale deed dated 15.04.1942, and patta was transferred in his name in Patta No.1492. The petitioner's father during his life time was in peaceful possession and enjoyment of the subject property. The petitioner's father died on 15.03.1985, leaving behind the petitioner and six other legal heirs. After demise of his father, the legal heirs jointly enjoyed the property. While so, the suit in O.S.No. 610 of 1995 was instituted by one Chinnu and others before the District



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Munsif cum Judicial Magistrate, Vendasandur and the same was dismissed on 28.10.2005. No appeal was preferred by the plaintiffs therein. The joint patta for the subject land stood in the name of the petitioner's father and so, the petitioner's brother's son applied for transfer of patta before the second respondent on 01.08.2024, and submitted all the documents in support of the same. But no action was taken. Thereafter, the petitioner also applied for patta on 06.11.2024. As the second respondent did not take any steps for transfer of patta in the name of the legal heirs of the deceased Perumal, the petitioner filed the above Writ Petition for the aforesaid relief.

4. The learned Government Advocate, on instructions, submits that the proceedings have already been initiated and the second respondent vide communication dated 20.11.2024 directed the Village Administrative Officer to submit a report after conducting enquiry. The learned Governmen Advocate also submits that as proceedings have already been initated, reasonable time may be granted for passing orders on the petitioner's application.



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5. In view of the submissions made by the learned Government Advocate, the second respondent is directed to complete the enquiry as per the procedures provided under the Patta Passbook Act and and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. In the result, this Writ Petition is disposed of. No costs.

20.11.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
CM

To,
1.The Revenue Divisional Officer,
Palani Taluk,
Dindigul District.



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2.The Tahsildar,
Vedasandur Taluk,
Dindigul District.



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N.MALA,J.

CM

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