



W.P.No.3694 of 2023

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.06.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P.No.3694 of 2023

Jampukeshwari

... Petitioner

Vs.

1. The District Collector,
Puducherry District,
Puducherry.

2. The Sub Collector,
Villiyannur,
Puducherry.

3. The Thasildar,
Villiyannur Taluk,
Puducherry.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus to direct the respondents to issue joint patta for a property comprised in Survey No.295 situated at Villayanur Communie Panchayat at measuring to an extent of 1 Kani 12 Kuzhi in petitioner favour and other heirs petitioner late husband namely Sampantha Moorthy in pursuance of petitioner representation dated 04.11.2020.



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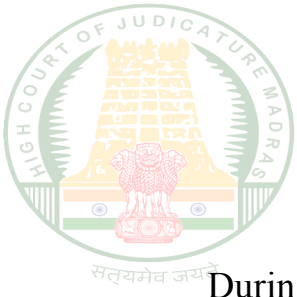
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For Petitioner : Mr.K.Karuppaiya Mooppanar
For Respondents : Mr.A.Tamilvanan
Addl Govt. Pleader (Puducherry)

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing respondents to consider the representation submitted by petitioner on 04.11.2020 and to issue joint patta in favour of her and legal heirs of her late husband Sampantha Moorthy.

2. The case of the petitioner is that the property comprised in Survey No.295 measuring an extent of 1 Kani 12 Kuzhi situated at Villayanur Commune Panchayat originally belongs to petitioner's late husband great grandmother, namely Nagammal. Nagammal was in continuous possession and enjoyment of the said property by paying necessary tax till her demise. Nagammal died leaving behind petitioner's late husband's father, Dhakshanmoorthy Naicker as legal heir. Dhakshanmoorthy Naicker succeeded to the above mentioned property.

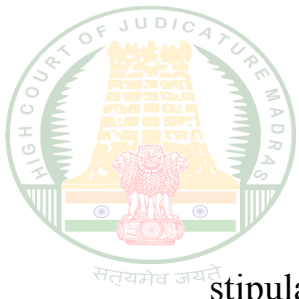


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During his lifetime, Dhakshanmoorthy Naicker executed a Will in favour of petitioner's late husband in respect of the above mentioned property and the same was also registered as Document No.23 of 1992 on the file of Sub Registrar Office, Villiyanur, Puducherry. After the demise of her father-in-law, petitioner's late husband was in possession and enjoyment of the said property. Subsequently, petitioner's husband also died intestate. Thereafter, the subject property was leased to one Subramani by way of oral lease agreement. While so, the said Subramani is stated to be illegally attempting to encroach the property. Petitioner thus submitted a representation on 04.11.2020 seeking issuance of joint patta in the name of petitioner and her children who are the legal heirs of late Sampantha Moorthy. Since the same was not considered, the present writ petition has been filed.

3. At the outset, it is submitted by learned Additional Government Pleader (Puducherry) appearing for respondents that if petitioner submits a fresh representation for issuance of joint patta in respect of the subject property, the same would be considered within a time frame that may be



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stipulated by this Court, which was agreed to by learned counsel for petitioner.

4. Taking into consideration the facts and circumstances of the case and after perusal of the materials placed before this Court and the grievance expressed by petitioner, it is open to petitioner to submit a fresh representation to the concerned respondent along with necessary documents for issuance of joint patta in respect of the property comprised in Survey No.295 within a period of four weeks from the date of uploading of the web copy without waiting for the receipt of certified copy. On such receipt, the concerned respondent shall pass appropriate orders within a period of eight weeks thereon, after putting petitioner and any other interested parties / rival claimants, if any, on notice. It is made clear that this Court has not expressed any view with regard to the merits of the case and it is open to the concerned respondent to consider the case on its own merits and in accordance with law.



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5. Accordingly, this Writ Petition stands disposed of. No costs.

18.06.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No

vji

To

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MOHAMMED SHAFFIQ, J.

vji

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