

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 08.06.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.16134 of 2015

M.N.Sivagnanaprakasam

.. Petitioner

Versus

1.The District Collector,  
Vellore District,  
Vellore.

2.The Commissioner,  
Arcot Municipality,  
Arcot,  
Vellore District.

3.The Revenue Divisional Officer,  
Ranipet,  
Vellore District.

4.The Tahsildhar,  
Arcot Taluk,  
Vellore District.

5.Jothiramalingam

.. Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a writ of Mandamus directing the respondents 1 to 4 to enter the name of the petitioner as owner of the land comprised in Survey Nos.E/17-414, E/9/1, C/32/11/6, C/32/12/1, C/37/5/2, C/33/3/2, C/36/3, C/37/4/5, C/37/6/9, C/37/6/10, C/37/6/16, C/37/7/4, E/6/4/8, E/6/5/7 AND C/37/5/2 situate at Arcot Town, Vellore District in respect of patta No.339 and properties comprised in Survey Nos. 30/1 31/1 35 43 45 55 197 13 201/4 201/5 28/ 201/14 44/2 and 138 situate at Muppathuvetti Village Arcot Taluk in respect of Patta No.184 and the properties comprised in Survey No. 136/3 136/5 137/4 135/2 and 139/3 are situate at Mangadu Village Arcot Taluk in respect of Patta No.505 and a house property bearing in Door No.8,9/10 situate at Perumal Koil Street, Arcot Town, another house property bearing Door No.15C, situate at Marakkadai Street and a vacant house site comprised in Survey No.713/2, situate at Dhanapal Street, Arcot Town, Vellore District comprised in Town Survey No.661, Arcot Town Patta No.399, Mupathuvetti Village Patta No.184, Mangadu Village Patta No.505 in respect of public and revenue records based on the representation of the petitioner dated 04.05.2012 forthwith.

For Petitioner : Mr.C.Prabakaran

For Respondents : Mr.Rm.Muthukumar  
Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner claims that the details enumerated in paragraph No.2 of the affidavit filed in support of this writ petition and other properties were originally belong to one Thirugnanasambandha Mudaliyar and he executed a Will dated 19.04.1926 in favour of his only daughter Balammal @ Balagujambal. It was also probated and given effect and the properties have devolved upon the said persons. She also got married and begotten two children. She died intestate and her children succeeded to the said estate. After the death of Balammal, her husband Natarajan had married one Naniammal and begotten 3 children. Subsequently, there is a dispute emanated between the parties which resulted in filing of a suit in O.S.No.130 of 1996 on the file of the learned District Munsif cum Judicial Magistrate, Arcot, Vellore District filed by the petitioner herein and two others for permanent injunction which was decreed on 20.04.2011. Though all the proceedings have been ended in favour of the petitioner and others, mutation of revenue records have not been taken place and hence, the petitioner submitted representations dated 04.05.2012, 25.04.2014 and 01.09.2014 to the official respondents and since, he has not favoured with any response from the respondents, he is constrained to approach this Court by filing this writ petition seeking appropriate direction to the second respondent.

3.Heard the submissions of Mr.C.Prabakaran, learned counsel appearing for the petitioner and Mr.Rm.Muthukumar, learned Government Advocate appearing for the respondents 1 to 4.

4.This Court, taking into consideration the above facts and circumstances of the case, permits the petitioner to present a fresh detailed representation with relevant particulars by enclosing the copy of the documents to the fourth respondent within a period of two weeks from the date of receipt of a copy of this order and the fourth respondent after receipt of the same, is directed to consider and dispose of the same after putting on notice the persons concerned, on merits and in accordance with law and pass orders within a period of eight weeks thereafter and communicate the decision taken, to the petitioner as well as the persons concerned.

6.The writ petition is disposed of, accordingly. No costs.

Sd/-  
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The District Collector,  
Vellore District,  
Vellore.

2.The Commissioner,  
Arcot Municipality,  
Arcot,  
Vellore District.

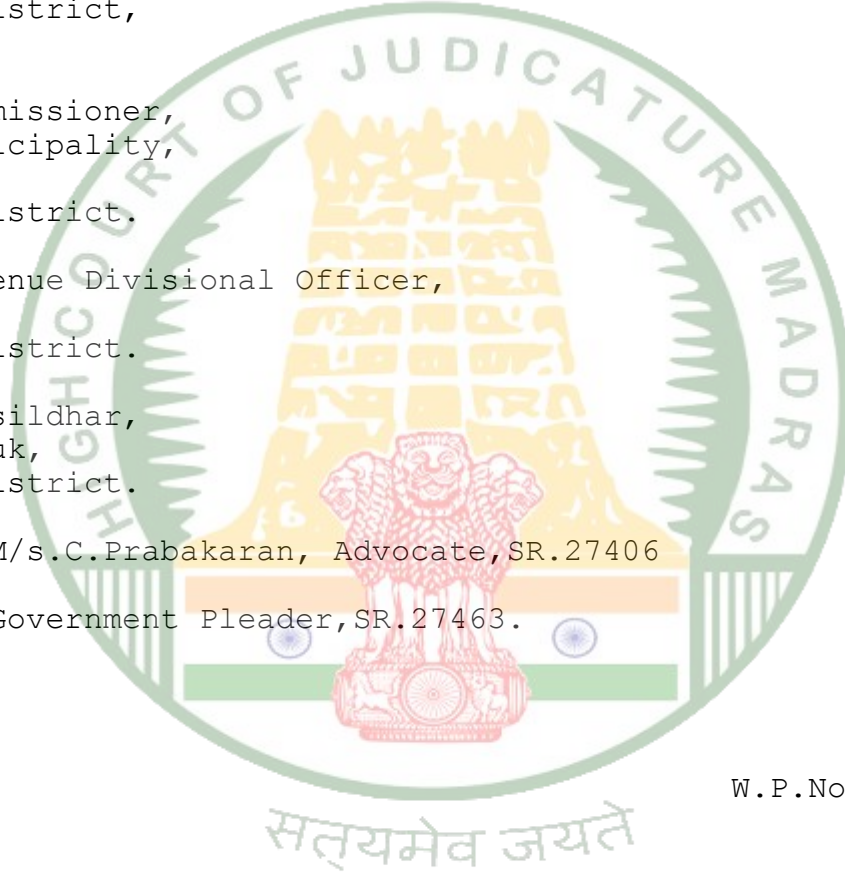
3.The Revenue Divisional Officer,  
Ranipet,  
Vellore District.

4.The Tahsildhar,  
Arcot Taluk,  
Vellore District.

+1 cc to M/s.C.Prabakaran, Advocate,SR.27406

+1 cc to Government Pleader,SR.27463.

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