

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.08.2015

CORAM:

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P.No.25952 of 2015

N.Veerabadran

... Petitioner

-Versus-

- 1.The District Collector,  
Kancheepuram District,  
Kancheepuram.
- 2.The Revenue Divisional Officer,  
Kancheepuram.
- 3.The Tahsildar,  
Kancheepuram.

...Respondent

Writ Petition filed under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus directing the respondents to consider the representation of the petitioner dated 27.04.2015 with regard to issuance of patta in the name of the petitioner and to pass appropriate orders thereon.

For petitioner : Mr.G.Punniyakotti  
For respondents : Mr.S.V.Durai Solaimalai,AGP

ORDER

Seeking to issue a mandamus directing the respondents to consider his representation dated 27.04.2015 for issuance of patta, the petitioner is now before this court with this writ petition.

2. The petitioner claims to be the co-sharer of the property measuring to an extent of 17 cents comprised in S.No.55 at Thollazhi Village. According to him, the said property is his ancestral property and originally the patta for the above said land stood in the name of his great grand grand father - Narayanasami Naciker and thereafter, the said land was with the enjoyment of his descendants. According to the petitioner the said property is still in joint possession and as a grand son of Rajagopal and the son of Natarajan, he is entitled to 1/4<sup>th</sup> share in the said property.

3. The petitioner further alleges that on the basis of some forged documents, one of the co-sharers, namely, Rajendran son of Janakiraman, had managed to obtain patta and has started proclaiming as if he is the absolute owner of the entire property.

In the above circumstances, the petitioner made a representation on 27.04.2015 to the respondent requesting them to hold proper enquiry, cancel the patta issued in the name of one of the co-sharers and issue separate patta to the respective sharer.

4. The grievance of the petitioner is that his legitimate request for issuance of patta has not so far been considered by the respondents and hence, he has no other go except to approach this court by way of this writ petition for appropriate relief.

5. Heard both sides and also perused the records carefully.

6. According to the learned counsel for the petitioner, the representation of the petitioner dated 27.04.2015 with regard to patta transfer effected on the basis of the alleged forged documents is kept pending for a long time by the respondents.

7. The learned Government Advocate would on the other hand submit that no such representation whatsoever has been received by the respondents and no acknowledgement is enclosed in the typed set of papers in support of the claim that such representation has been really sent by the petitioner and received at the end of the respondents.

8. However, considering the limited scope of the prayer sought for in the writ petition and in order to give quietus to the issue, the petitioner is permitted to present a copy of his representation dated 27.04.2015 along with a copy of this order to the authority concerned within a period of one week from the date of receipt of a copy of this order and on such presentation, the authority concerned shall decide the matter after affording due opportunity to the petitioner as well as any of the rival parties and pass appropriate orders on merits and in accordance with law within a period of six weeks thereafter.

The writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar

True Copy

Sub Assistant Registrar

kmk

- 1.The District Collector, Kancheepuram District, Kancheepuram.
- 2.The Revenue Divisional Officer, Kancheepuram.
- 3.The Tahsildar, Kancheepuram.

1 cc to Government Pleader.Sr.No.44463/15

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