

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.11.2015

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

W.P. No. 36432 of 2015

1. Rajamani
2. Chitra Kala. ...Petitioners

Vs.

1. The Tasildar,
Coimbatore North,
Coimbatore - 641018.
2. The Executive Engineer,
Cum Administrative Officer,
Tamil Nadu Housing Board,
Tatabad, Coimbatore-641012. ...Respondents

PRAYER: This petition is filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the 1st respondent to issue Patta in the name of the petitioners relating to the lands of an extent of 92.5 cents in Survey No. 315/1 of Kalapatti Village, Coimbatore Tk, Coimbatore District within the time stipulated by this Court.

For Petitioners : M/s.A.Sivaji,
For Respondent No. 1 : Mr.Digvijay Pandian,
Addl. Government Pleader
For Respondent No. 2 : Mr.Viveka Vanan.

ORDER

It is the case of the petitioners that the property situated in Survey No. 315/1 of Kalapatti Village, Coimbatore Taluk, Coimbatore District is his ancestral property. The said property originally belonged to his grandfather, late Devana Gounder and thereafter, partitioned amongst the legal heirs. After the sale effected in favour of the third parties, there are still lands available and therefore, the petitioners being the female legal heirs, will have to be included in the Patta. Thus, the petitioners made a representation dated 17.04.2015 seeking for appropriate mutation in the Patta for the above said land by including their names. As the said representation has not been considered till now, the petitioners have come forward to file the present writ petition.

2. Heard the learned counsel appearing for the petitioners and the learned Additional Government Pleader appearing for the respondents.

3. This Court is not inclined to go into the disputed questions of fact, as the same have to be looked into only by the respondent No. 1. Therefore, without going into the merits of the case, the first respondent is directed to consider and pass appropriate orders on the pending representation of the petitioners dated 17.04.2015 within a period of eight weeks from the date of receipt of the copy of this order, after affording an opportunity of hearing to the petitioners as well as the other interested parties, if any.

Accordingly, the writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

rms/usk

To

1. The Tasildar,
Coimbatore North,
Coimbatore - 641018.

2. The Executive Engineer,
Cum Administrative Officer,
Tamil Nadu Housing Board,
Tatabad, Coimbatore-641012.

+lcc to Mr. A. Sivaji, Advocate, S.R.No.61867
+lcc to Mr.B. Viveka Vanan, Advocate, S.R.No.61903
+lcc to the Government Pleader, S.R.No.62017

JSV(CO)
EU(27/11/2015)

W.P.No. 36432 of 2015