

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.11.2015

CORAM

THE HONOURABLE MR. JUSTICE M.M.SUNDRESH

W.P.No.37885 of 2015

K. Sudha

... Petitioner

Vs.

1. The District Collector,
Tiruvallur District.

2. The Tahsildar,
Poonamallee Taluk,
Tiruvallur District.

... Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 2nd respondent to consider the representation dated 28.10.2015 made by the petitioner herein for issuance of separate subdivided patta for the lands belonging to the deceased husband of the petitioner with necessary mutations in the revenue records.

For Petitioner : Mr.T. Sundaravadanam

For Respondents : Mr.P. Sanjay Gandhi,
Additional Government Pleader

ORDER

By consent, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is the wife of one R. Krishnakumar. According to the petitioner, the lands in S.No. 4/3C, 4/5B, 6/2, 6/4, 7/5, 7/6, ¾, 7/1B, 6/3, 7/1A3, 7/1A1, 7/1A2, 8, 7/2, 7/4 & 25/4B in Sundara Chozhavaram Village and the lands in Parutipattu Village in Old S.No. 607/1, New S.No. 40/1 were jointly owned by the petitioner's husband and his elder brother. After the demise of her husband, the petitioner made representations on 28.09.2015 and subsequently

on 28.10.2015 to the 2nd respondent to scale down the property and issue separate subdivided patta in the name of the legal heirs of her husband, in respect of the property, which belong to her husband, with necessary mutations in the revenue records. As the said request has not been considered, the petitioner has come forward with the present writ petition.

3. Considering the pendency of the representations of the petitioner before the 2nd respondent, with regard to the relief sought, without going into the merits of the case, the writ petition is disposed of directing the 2nd respondent to consider the representation of the petitioner, the last of which is dated 28.10.2015, and pass appropriate orders, on merits, in accordance with law and after affording a reasonable opportunity to the petitioner as well as third party, if any, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector,
Tiruvallur District.
2. The Tahsildar,
Poonamallee Taluk,
Tiruvallur District.

+2cc's to Mr.T.Sundaravadanam, Advocate, S.R.No.65067

+1cc to the Government Pleader, S.R.No.65240

W.P.No.37885 of 2015

PA(CO)
CA(16/12/2015)