

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.12.2015

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH

W.P.No.38250 of 2015

G.Kothandapani

... Petitioner

Vs.

- 1.The District Collector,
Kancheepuram District,
Kancheepuram.
- 2.The Tahsildar,
Maduranthagam Taluk,
Kancheepuram District.
- 3.Alla
- 4.A.Elumalai

... Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents 1 & 2 to consider the petitioner's representation dated 11.03.2013, to cancel the patta standing in the name of the third respondent in respect of the petitioner's land measuring to an extent of 20 cents comprised in Survey No.212/3B situated at Periya Vaiyavur Village, Maduranthagam Taluk, Kancheepuram and to restore the joint patta bearing No.365 already issued in the petitioner's name along with the petitioner's deceased brother Mr.Dakshinamoorthy in accordance with law.

For Petitioner : Mr.K.Maarinathan

For Respondent : Mr.P.Karthikeyan,
Govt. Advocate Nos.1 & 2

ORDER

It is the case of the petitioner that the property in survey No.212-3B situated at Periya Vaiyavur Village, Maduranthagam Taluk, Kancheepuram to an extent of 20 cents bearing patta No.365 belongs to him along with other heirs. The above said property is an ancestral property. However, the said patta has been changed clandestinely without notice to the petitioner in patta No.28 by committing forgery. Thus, the petitioner made a representation dated 14.08.2013 to the Second Respondent seeking cancellation of patta to the above said property and then, give joint patta in the name of the petitioner and other members of the joint family. As the said

request is yet to be considered, the petitioner has come forward with the present writ petition.

2.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

3.Considering the above and taking note of the fact that the representation of the petitioner dated 11.03.2013 is pending, the writ petition can be disposed of with a direction to the petitioner to give one more representation to the second respondent within a period of four weeks from the date of receipt of a copy of this order. On receipt of the same, the second respondent shall pass appropriate orders after hearing the petitioner and the respondents 3 and 4 within a further period of eight weeks.

4.The writ petition is disposed of accordingly. No costs.
DP

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The District Collector,
Kancheepuram District,
Kancheepuram.

2.The Tahsildar,
Maduranthagam Taluk,
Kancheepuram District.

+ 1 cc to Mr.K.Maarinathan, Advocate Sr 65137.

KR/22/12

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