

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2015

CORAM

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

W.P.No.40352 of 2015

Mrs.Baby Gabiriyel Ammal

.. Petitioner

Vs.

- 1 The District Collector
Kancheepuram District Kancheepuram
- 2 The District Revenue Officer
Kancheepuram District Kancheepuram
- 3 The Revenue Divisional
Officer Kancheepuram Division Kancheepuram
District Kancheepuram
- 4 The Tahsildar
Sriperumbudur Taluk Office Sriperumbudur
Kancheepuram District Pincode 602 105 .. Respondents

Petition filed under Article 226 of The Constitution of India praying to issue a writ of mandamus directing the respondents to consider and pass orders on the representation dated 28.8.2015 of the petitioner in respect of the land in Survey Nos.150/1 (Now divided into petitioners sub divisions) totally 7.32 cent in which the petitioners share 0.50 cent and 179/1 totally 1.57 cent in which the petitioners share 0.26 cent and 149/A4 totally 1.19 cent in which the petitioners share 0.20 cent totally 0.96 cents at Kanthur Village Sriperumbudur Taluk Kancheepuram District.

For Petitioner .. Mr.S.Rajesh

For R1 to R4 .. Mr.V.Subbiah, Spl.G.P

ORDER

With the grievance that patta has not been given to the property situated at Kanthur Village, Sriperumbudur Taluk, Kancheepuram District, a representation was given by the petitioner on 28.8.2015. The learned counsel for the petitioner

submitted that the said representation was based upon the registered Will of the year 1940. Thereafter, the petitioner's mother's name was found in the patta. The petitioner's mother has executed a settlement deed in her favour along with her sister. Therefore, a request has been made for issuance of patta in their names as against third parties.

2. Though the 4th respondent cannot adjudicate upon the Will, Considering the submissions made that thereafter, patta was issued in the name of petitioner's mother and without going into the merits of the case, a direction is issued to 4th respondent to pass appropriate orders on the pending representation of the petitioner dated 28.8.2015 on merits and in accordance with law after affording opportunity to the petitioner and the third parties including those persons in whose name the patta stands as of now, within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1 The District Collector
Kancheepuram District Kancheepuram
- 2 The District Revenue Officer
Kancheepuram District Kancheepuram
- 3 The Revenue Divisional
Officer Kancheepuram Division Kancheepuram
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- 4 The Tahsildar
Sriperumbudur Taluk Office Sriperumbudur
Kancheepuram District Pincode 602 105

+1 cc to Mr.S.Rajesh Advocate sr.68771

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