

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.03.2015

CORAM

THE HONOURABLE MR.JUSTICE T.S. SIVAGNANAM

W.P. No.5468 of 2015

S.Ranganathan

...Petitioner

-vs-

1.The District Collector,
District Collector Office,
Villupuram District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Kallakurichi.

3.The Tashildar,
Sangarapuram,
Villupuram District.

4.Manikammal

...Respondents

(4th respondent is impleaded as per
order dated 10.03.2015 made in M.P.
No.1 of 2015 in W.P. No.5468 of 2015)

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the third respondent to consider the petitioner's representation dated 01.11.2013 consequently cancel the patta issued in favour of Manikammal.

For Petitioner : Mr.N.Subramani

For Respondents : Mr.M.L.Mahendran,
Government Advocate for R1 to R3

O R D E R

Heard Mr.N.Subramani, learned counsel for the petitioner and Mr.M.L.Mahendran, learned Government Advocate for R1 to R3.

2.The petitioner seeks direction to the third respondent to consider the petitioner's representation dated 01.11.2013 consequently cancel the patta issued in favour of Manikammal.

3.The case of the petitioner is that the petitioner's father's brother one Narayana Udayar died on 05.08.2002 and his wife Ponnammal died earlier to Narayana Udayar and they have no issues. Thereafter, the petitioner is in possession and enjoyment of the property of Narayana Udayar. However, Manikammal/the fourth respondent herein claimed right over his property and produced legal heir certificate. According to the petitioner, the fourth respondent suppressed the facts and created forged documents and got legal heir certificate by proceedings Ni.Mu (A4) 6020/2002 dated 24.09.2002. The petitioner filed an appeal dated 01.11.2013 to the respondents seeking to cancel the patta issued in favour of Manikammal. Since the respondents have not passed any order till date, the petitioner is before this Court.

4.The allegation made by the petitioner is that the patta granted in favour of the fourth respondent and it is left open to the petitioner to approach the competent authority.

5.In the light of the limited relief sought for in the writ petition, there shall be a direction to the third respondent to consider the petitioner's representation dated 01.11.2013, after giving notice to the petitioner and the fourth respondent and pass orders on merits and in accordance with law, within a period of four months from the date of receipt of a copy of this order.

6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-IV)

//True Copy//

Sub Assistant Registrar

vga

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To

1.The District Collector,
District Collector Office,
Villupuram District.

2.The Revenue Divisional Officer,
Revenue Divisional Office,
Kallakurichi.

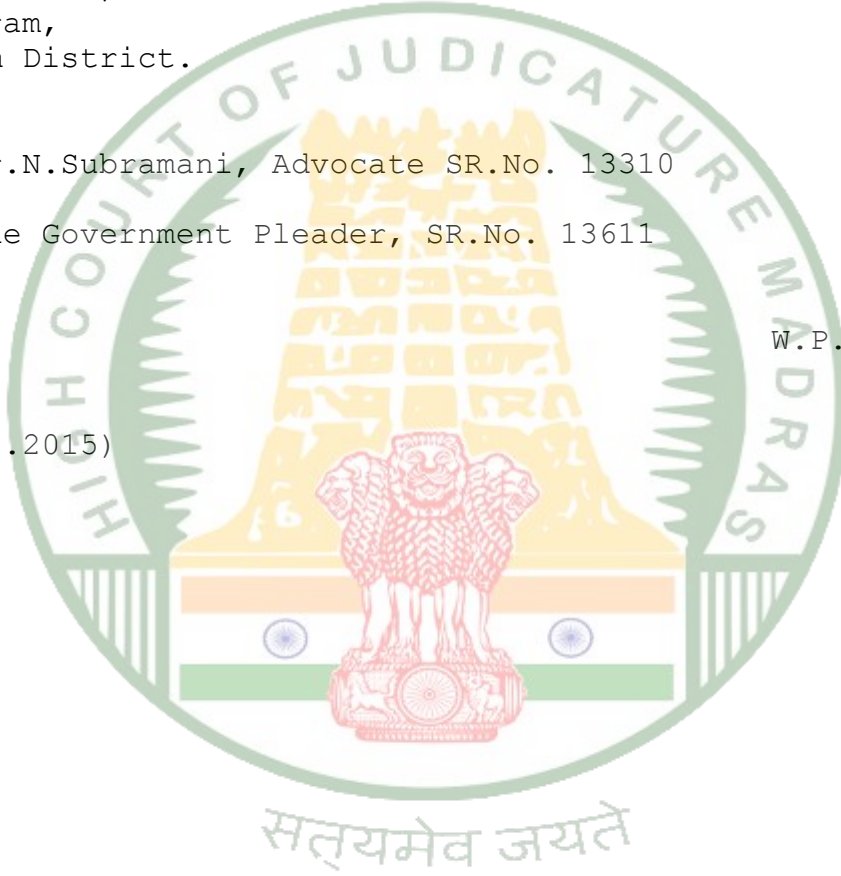
3.The Tashildar,
Sangarapuram,
Villupuram District.

1 CC to Mr.N.Subramani, Advocate SR.No. 13310

1 CC to the Government Pleader, SR.No. 13611

W.P. No.5468 of 2015

VGI (CO)
PSI (31.03.2015)



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