



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :16.10.2015

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P (MD) .No.18987 of 2015

Rajammal

...Petitioner

Vs.

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

...Respondents

This Writ Petition has been filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents to include the name of the petitioner in patta No.689 in respect of ancestral land comprised in Survey No.638/1C situated at Poomarathupatti Pudur Village, Pallapatti Panchayat on the basis of the representation, dated 11.05.2015 and 06.10.2015.

For petitioner	: Mr.T.Indrachithu
For Respondents	: Mr.M.Murugan, Government Advocate, takes notice

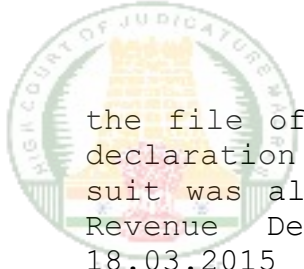
ORDER

The Writ Petition has been filed praying for a Writ of Mandamus directing the respondents to include the name of the petitioner in patta No.689 in respect of ancestral land comprised in Survey No.638/1C situated at Poomarathupatti Pudur Village, Pallapatti Panchayat on the basis of the representation, dated 11.05.2015 and 06.10.2015.

2. Mr.M.Murugan, learned Government Advocate takes notice for the respondents.

3. By consent, this Writ Petition itself is taken up for final disposal.

4. In the affidavit it has been averred that the lands comprised in S.No.638/1C in patta No.689 situated at Poomarathupatti Pudur Village, Pallapatti Panchayat, originally belonged to the father of the petitioner by name Periyasamy. The petitioner was born to the first of wife of the said Periyasamy. The said Periyasamy got seven children through his second wife by name Subbammal. He died on 04.01.2008 leaving the petitioner, the said Subbammal and her seven children as his legal heirs. Thereafter, a suit was filed by the legal heirs in O.S.No.691 of 2014 on



the file of the Principal District Munsif Court, Dindigul seeking for a declaration declaring them as legal heirs of late.Periyasamy. The said suit was allowed by the Principal District Musif Court, Dindigul. The Revenue Department, vide proceedings Pa.Mu.4207/2015/A1, dated 18.03.2015 issued a legal heir certificate showing the petitioner, the said Subbammal and her seven children as the legal heirs of the said Periyasamy. Based on the same, the petitioner submitted a petition, dated 19.05.2015 to the first respondent to include the petitioner's name in patta No.689 in respect of the land in S.No.638/1C. Thereafter, the petitioner had also made a representation to the second respondent in this regard. But the same was not considered so far. Hence, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the submissions made by the learned counsel for the petitioner, without going into the merits of the averments made in the Writ Petition, this Court directs the second respondent to consider the representation of the petitioner, dated 06.10.2015, and pass order with regard to inclusion of the petitioner's name in patta No.689 in respect of the subject property, on merits and in accordance with law, by affording an opportunity of hearing to the petitioner, the said Subbammal and her seven children and all other necessary parties, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AE)

/True Copy/

Sub Assistant Registrar

pm

To

1.The District Collector,
Dindigul District,
Dindigul.

2.The Tahsildar,
Dindigul West Taluk,
Dindigul District.

+1CC to Mr.T.IndraChithu Advocate Sr.No.61546

+1CC to Spl.Government Pleader Sr.No.62120

GJM/GSV/PM/30.10.15-2P-5C

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