

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.19591 of 2016

V.Chitra

.. Petitioner

Vs.

- 1.The District Collector,
Villupuram District,
Villupuram.
- 2.The Revenue Divisional Officer,
Kallakurichi,
Villupuram District - 606 202.
- 3.The Tahsildar,
Kallakurichi Taluk,
Villupuram District.
- 4.V.Mukundan
- 5.K.Ayyan
- 6.V.Gopi @ Govindaraj (Man Missing)

..Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent to dispose the petitioner's appeal dated 27.08.2015 to cancel the patta granted by the 3rd respondent in the name of the 4, 5th and 6th respondents and change in the name of Late Mr.Venugopal Naidu as per the previous records within the stipulated time fixed by this Court.

For Petitioner : Mr.R.Balaguruswamy

For RR 1 to 3 : Mr.R.Govindasamy

Special Government Pleader

ORDER

By consent, the writ petition is taken up for final disposal.

2 The petitioner would state that she is working as Assistant Project Officer in the services of Rural Welfare Department of Government of Tamil Nadu on contract basis and she would further state that her father [Late] Venugopal Naidu had acquired several properties in and around Kallakurichi and in possession of the same and also issued with pattas vide Patta Nos.963 at Kallakurichi Town, Patta No.575 and 82 at Sadayampattu village and Patta No.901 at Karanoor village and the said properties were acquired through registered Sale Deeds. The petitioner would state that the 4th respondent, brother of the petitioner herein, started claiming that [Late] Venugopal Naidu has executed a Will in favour of himself and

his brother, viz., the 6th respondent herein and the petitioner is disputing the genuineness of the Will and also filed a suit in OS.No.28/2014 on the file of the learned Principal District Judge, Villupuram for partition and separate possession of the said properties and other consequential benefits and she has also obtained ad-interim injunction in IA.No.125/2014, restraining the respondents from alienating or encumbering the suit property. The grievance expressed by the petitioner is that patta in respect of the properties have been changed in favour of the respondents 4 to 6, despite the pendency of the suit proceedings and in this regard, she has filed an appeal dated 27.08.2015 to the 2nd respondent and since no orders have been passed, she came forward to file this writ petition.

3 Heard Mr.R.Govindasamy, learned Special Government Pleader who accepts notice on behalf of the respondents 1 to 3.

4 Though the petitioner prayed for a larger relief, this Court, in the light of the above facts and circumstances, and without going into the merits of the claim projected by the petitioner, directs the 2nd respondent to consider and dispose of the petitioner's appeal dated 27.08.2015 on merits and in accordance with law, after putting on notice the respondents 4 to 6 and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the respondents 4 to 6.

5 The writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(V)

//True Copy//

Sub Assistant Registrar

AP

To

- 1.The District Collector,
Villupuram District, Villupuram.
- 2.The Revenue Divisional Officer,
Kallakurichi, Villupuram District - 606 202.
- 3.The Tahsildar,
Kallakurichi Taluk, Villupuram District.

+1cc to Mr.R. Balaguruswamy, Advocate, S.R.No.32040

+1cc to the Government Pleader, S.R.No.31563

RSY(CO)

EU(21/06/2016)