

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:14.07.2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

W.P.No.29534 of 2015

Pille Gowdu

..Petitioner

vs.

1. The District Collector
Krishnagiri District, Krishnagiri.

2. The District Revenue Officer
Krishnagiri District, Krishnagiri.

3. The Revenue Divisional Officer
cum Sub Collector
Hosur, Krishnagiri District.

4. The Tahsildar
Hosur Taluk
Krishnagiri District.

5. Narayanamma

.. Respondents

Prayer: Writ Petition under Article 226 of the Constitution of India praying to issue a writ of mandamus, directing the third respondent to consider the petitioner's representation dated 22.06.2015.

For Petitioner : Mr.R.Jayaprakash

For Respondents : Mr.R.Ravichandran

Additional Government Pleader

for RR1 to 4

R5- No appearance

ORDER

Heard.

2. This writ petition has been filed praying that this Court may be pleased to issue a WRIT OF MANDAMUS, directing the third respondent to consider the representation of the petitioner dated 22.06.2015.

3. In the representation submitted to the third respondent, the petitioner has requested that the individual patta, issued in favour of one Narayana Gowdu, has to be set aside, and a joint patta has to be issued in the names of all the persons, who are the owners of the property, in respect of the land, in S.F.No.1, Perigai Village, Hosur Taluk, Krishnagiri District, in view of the pendency of the suit, for partition of the property in question, in O.S.No.139 of 2003, on the file of the District Munsif Court, Hosur.

4. At this stage of the hearing of the writ petition, the learned Additional Government Pleader appearing on behalf of the respondents 1 to 4 had submitted that the petitioner ought to have preferred an appeal, seeking his relief before the Revenue Divisional Officer concerned, Krishnagiri District, as per Section 12 of the Tamil Nadu Patta Passbook Act, 1983 and Rule 14 of the Tamil Nadu Patta Passbook Rules, 1987.

5. In view of the said submission made by the learned counsel appearing on behalf of the respondents 1 to 4, this Court finds it appropriate to permit the petitioner to file an appeal before the Revenue Divisional Officer concerned, Krishnagiri District, as per Section 12 of the Tamil Nadu Patta Passbook Act, 1983 and Rule 14 of the Tamil Nadu Patta Passbook Rules, 1987, within a period of 15 days from the date of receipt of a copy of this order. On the petitioner filing the appeal, as permitted above, the Revenue Divisional Officer concerned, Krishnagiri District, shall consider and dispose of the same, within a period of eight weeks, thereafter, after giving an opportunity of hearing to the petitioner, the fifth respondent, as well as the other persons concerned, if any.

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

सत्यमेव जयते
-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The District Collector
Krishnagiri District, Krishnagiri.
2. The District Revenue Officer
Krishnagiri District, Krishnagiri.

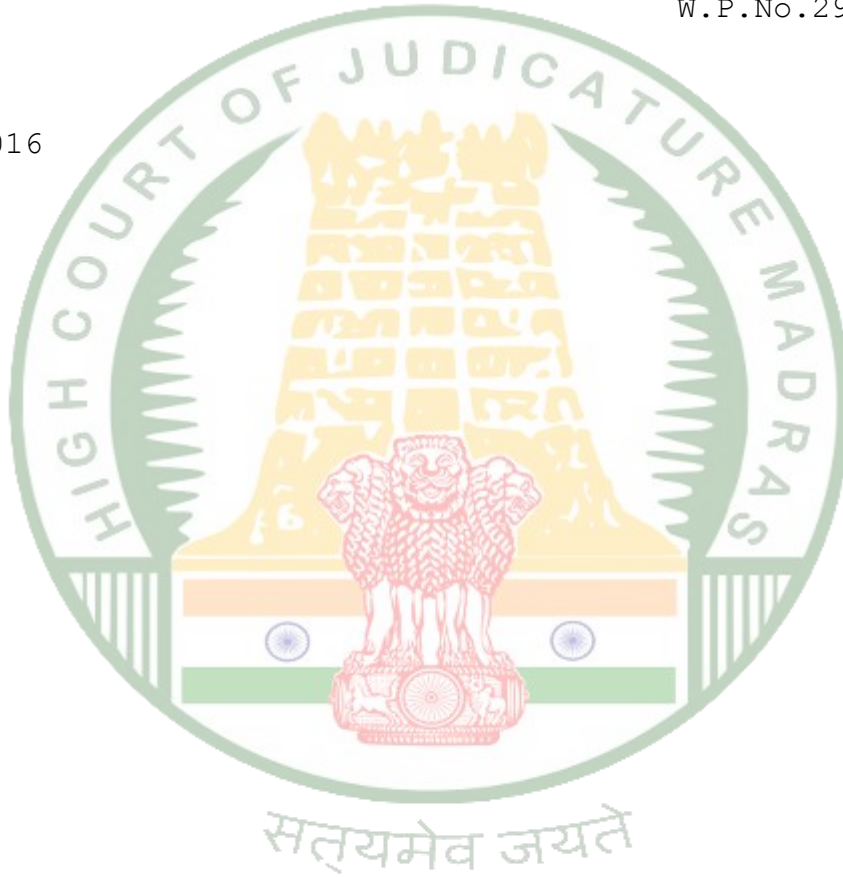
3. The Revenue Divisional Officer
cum Sub Collector
Hosur, Krishnagiri District.

4. The Tahsildar
Hosur Taluk
Krishnagiri District.

+1 cc to Government Pleader sr.39677

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