

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 12-08-2016

CORAM

THE HONOURABLE MR.JUSTICE M.JAICHANDREN

Writ Petition No.29156 of 2014

1.Saroja
2.Srinivasan
3.Savithiri
4.Dhanalakshmi

... Petitioners

Vs

1.The Tahsildar
Taluk Office
Dharmapuri Taluk
Dharmapuri District.
2.The Head Quarters Deputy Tahsildar
Taluk Office
Dharmapuri Taluk
Dharmapuri District.
3.The Village Administrative Officer
Athakabadi Village
Dharmapuri Taluk & District.

... Respondents

Prayer: This writ petition is filed under Art. 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents to change all Revenue Records, viz., Patta, Chitta, Adangal etc., in favour of the petitioners in respect of the land in S.No.705/2 an extent of 5.19 Acres situated at Athakabadi Village, Dharmapuri Taluk and District by considering the petitioner's representation, dated 15.9.2014.

For Petitioner : No appearance
For Respondent : Mr.P.Karthikeyan
Govt. Advocate.

O R D E R

There is no representation for the petitioners. Heard the learned counsel, appearing on behalf of the respondents.

2. This writ petition has been filed, praying that this Court may be pleased to issue a Writ of Mandamus, directing

the respondents to change the revenue records, in favour of the petitioners, in respect of the land, comprised in S.No.705/2, having an extent of 5.19 acres, situated at Athakabadi Village, Dharmapuri Taluk and District, by considering the representation of the petitioners, dated 15.9.2014.

3. The claim of the petitioners is that they had filed a civil suit, in O.S.No.11 of 2011, on the file of the District Munsif Court, Dharmapuri, seeking to declare the sale deeds executed by the power agent of the deceased Munisamy, as void, and to declare the title of the petitioners, in respect of the property in question.

4. By a Judgment and Decree, dated 8.4.2014, the District Munsif Court, Dharmapuri, had declared the sale deeds executed by the power agent of the deceased Munisamy, as null and void, as they had been executed by the power agent, after the death of the said Munisamy, who was the Principal.

5. In such circumstances, the petitioners have submitted a representation, dated 15.9.2014. However, there was no response from the respondents. Hence, the petitioners have preferred the present writ petition.

6. At this stage of the hearing of the writ petition, the learned counsel, appearing on behalf of the respondents had submitted that the petitioners ought to have submitted their representation, to the Tahsildar, Taluk Office, Dharmapuri Taluk, instead of the Headquarters Deputy Tahsildar, Taluk Office, Dharmapuri Taluk.

7. In view of the said submissions made by the learned counsel, appearing on behalf of the respondents, the petitioners are permitted to submit their representation to the Tahsildar, Taluk Office, Dharmapuri Taluk, the first respondent herein, within a period of four weeks from date of receipt of a copy of this order. On receipt of such representation, the first respondent shall consider the same and pass appropriate orders thereon, after giving an opportunity of hearing to the petitioners and to the defendants in the suit, in O.S.No.11 of 2011, on the file of the District Munsif Court, Dharmapuri, as well as to the other persons, if any, within a period of twelve weeks, thereafter.

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

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

rnb

To

1.The Tahsildar
Taluk Office
Dharmapuri Taluk
Dharmapuri District.

2.The Head Quarters Deputy Tahsildar
Taluk Office
Dharmapuri Taluk
Dharmapuri District.

3.The Village Administrative Officer
Athakabadi Village
Dharmapuri Taluk & District.

4 The District Munsif,
Dharmapuri

Writ Petition No.29156 of 2014

GR (CO)
MD : 16/09/2016

सत्यमेव जयते

WEB COPY