

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 18.07.2016

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.24679 of 2016
and
W.M.P.No.21066 of 2016

- 1.Andal
- 2.Rajendran
- 3.Deivayanai
- 4.Valliammal
- 5.Ekambaram
- 6.Kumar

... Petitioners

Vs.

- 1.The State of Tamil Nadu
rep by the District Collector,
Tiruvannamalai,
Tiruvannamalai District.
- 2.The Tahsildar,
Cheyyar, Tiruvannamalai District.
- 3.The Tahsildar (SIPCOT),
Cheyyar, Tiruvannamalai District.
- 4.Devaraj
- 5.Murugan
- 6.Lakshmi
- 7.Yasoda

... Respondents

सत्यमेव जयते

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of writ of Mandamus directing the 2nd respondent herein to correct the revenue records suitably pertaining to the 4 acres of dry land in the name of the Petitioner's father Nagappan having patta number 112 comprised in Survey No.19/2B situate in Kunnavakkam Village, Cheyyar Taluk, Tiruvannamalai District and effect name transfer from the name of their father late Nagappan in the revenue records of the respondents such as adangal, chitta, A-register, patta etc and record the same in their joint names viz., 1. Andal W/o.Jagannathan, 2.Rajendran S/o Late Nagappan, 3.Deivayanai W/o Selvaraj, 4.Valliammal W/o Murugan, 5.Ekambaram S/o Late Nagappan and 6.Kumar S/o Late Nagappan and issue joint patta for the said 4 acres of dry land.

For Petitioners : Mr.S.Arunkumar
For Respondents : Mr.R.Govindasamy,
Special Government Pleader
[R1 to R3].

O R D E R

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

2. The petitioners claim that their father late Nagappan, S/o.late Vellai @ Kali Vellai, was granted assignment in patta No.112, comprised in S.No.19/2B admeasuring to an extent of 4 acres at Kunnavakkam Village in the year 1960 and he was in possession and after his demise, the petitioners claim to be in possession and enjoyment of the same. According to the petitioners, the legal representatives of the younger brother of their father viz., Tvl.Devaraj, Murugan, Lakshmi and Yasoda managed to get a joint patta in their names through patta No.31 and the land was also acquired by the SIPCOT and the compensation is going to be paid. It is further stated by the petitioners that the change of patta obtained by the above said persons is through fraudulent means and in this regard, has submitted a representation dated 06.06.2016 to the respondents and since no response is forthcoming, came forward to file this writ petition.

3. Heard the submissions of Mr.S.Arunkumar, learned counsel appearing for the petitioners and Mr.R.Govindasamy, learned Special Government Pleader, who accepts notice on behalf of the respondents 1 to 3.

4. Though the petitioners prayed for the larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioners either in the representation or in this writ petition, directs the second respondent to consider and dispose of the petitioner's representation dated 06.06.2016 in accordance with law, after putting on notice Tvl. Devaraj, Murugan, Lakshmi and Yasoda, who are the sons and daughters of late Kannappan- pattadhars in Patta No.31 issued by the Deputy Tahsildar, Cheyyar 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 petitioners as well as to the above said persons.

The Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

vsm

Sd/-

Asst.Registrar

/true copy/

To

1. The District Collector,
The State of Tamil Nadu,
Tiruvannamalai,
Tiruvannamalai District.

2. The Tahsildar,
Cheyyar, Tiruvannamalai District.

3. The Tahsildar (SIPCOT),
Cheyyar, Tiruvannamalai District.

+ 1 cc to Mr.S.Arunkumar, Advocate Sr 40258

KR/28/7/16

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