

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.12.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.32029 of 2016

MRS. M.Rajakumari

... Petitioner

vs.

1. The Revenue Divisional Officer,
Tiruvannamalai,
O/o RDO, Anna Salai,
Tiruvannamalai Town & District.
2. Sankaranathan
3. V.Mohan ... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the 1st respondent to consider the petitioner's representation dated 22.08.2016, complete the enquiry and pass appropriate orders within a time frame.

For Petitioner : Mr.S.Vediappan

For 1st Respondent : Mr.A.Kumar,
Special Government Pleader

For 3rd Respondent : Mr.T.P.Sekar

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the 1st respondent to consider her representation dated 22.08.2016, complete the enquiry and pass appropriate orders within a time frame.

2. According to the petitioner, her husband Manicka Mudaliar executed a Registered Will dated 20.12.1996, retaining a major portion on his own, allotted a house to the petitioner and allotted other properties to the children of his first wife. Objecting the same, the petitioner along with her three sons filed a suit for partition. Pending the suit, the petitioner's husband died intestate in the year 2000.

3. The grievance of the petitioner is that the undivided properties of her deceased husband were sold by the children of her husband's first wife, in order to defeat the rights of the petitioner and her sons. Narrating all the facts, the petitioner sent a representation dated 22.08.2016 to the 1st respondent herein and requested to conduct enquiry and pass appropriate orders.

4. Heard the learned counsel for the parties and perused the material documents available on record.

5. Learned counsel for the petitioner submitted that after service of notice, the 1st respondent called the petitioner for an enquiry on 16.02.2015 at 11.00 a.m. with requisite documents, but no orders have been passed so far. He further submitted that the 3rd respondent has also been served notice.

6. In view of the above, this Court directs the 1st respondent/Revenue Divisional Officer, Tiruvannamalai to consider the petitioner's representation dated 22.08.2016 on merits and in accordance with law, after giving an opportunity of hearing to the parties and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. No costs.

-sd/-
Assistant Registrar
/ TRUE COPY /
Sub-Assistant Registrar

aeb
To:

The Revenue Divisional Officer,
Tiruvannamalai,
O/o RDO, Anna Salai,
Tiruvannamalai Town & District.

+1 CC TO MR.S.VEDIAPPAN Advocate SR.NO. 71595
+1 to the Government Pleader SR.NO. 72073

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RD 03/01/2017

W.P.No.32029 of 2016