

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.35090/2016

K.Kanchana

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Petitioner

Vs.

1.The District Collector
Cuddalore District, Cuddalore 607001.

2.The Tahsildar
Cuddalore Taluk, Cuddalore
Cuddalore District.

3.The District Surveyor
Cuddalore, Cuddalore Taluk
Cuddalore District.

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Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to take action on the representation dated 30.06.2016 given by the petitioner.

For Petitioner : Mr.D.Baskar
For RR 1 to 3 : Mr.P.Chinnadurai, GA

ORDER

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

2 The petitioner would state that she had bequeathed

her portion of the ancestral property bearing G.N.S.No.110/1, situate at C.N.Palayam Village, Cuddalore Taluk and District, from her father [late] Selvaraja Mudhaliar. On verification of patta, she found wrong entries have been made and that a wrong sub-division was effected in the name of one Maalika Beevi and Moosa. Hence, she filed a suit in OS.No.194/2014 on the file of the Court of the Additional District Munsif, Cuddalore, praying for declaration of title and permanent injunction and also for alteration of the revenue records. The respondents herein were also made as the defendants in the said suit. Though the suit was decreed in favour of the petitioner, granting her permanent injunction, the relief of alteration of revenue records was rejected on the ground that the Civil Court has no jurisdiction to grant such relief in view of Section 14 of the Patta Passbook Act. Thereafter, the petitioner submitted a representation on 29.02.2016 to survey the property and to issue patta in her favour. She has also paid necessary fees. Since she was informed that patta will not be issued in her favour, the petitioner again submitted a representation on 30.06.2016 to the respondents herein. Though the said representation was received and acknowledged, she is yet to be favoured with any kind of response. Hence, she came forward to file the present writ petition.

3 This Court heard the submissions of the learned counsel for

the petitioner and Mr.P.Chinnadurai, learned Government Advocate who accepts notice on behalf of the respondents.

4 Considering the limited scope of the prayer sought for by the petitioner, this Court, without going into the merits of the claim projected by the petitioner in her representation, directs the 3rd respondent to consider and dispose of the petitioner's representation dated 30.06.2016 on merits and in accordance with law and pass orders as expeditiously as possible.

5 The writ petition is disposed of accordingly. No costs.

04.10.2016

AP

To

- 1.The District Collector
Cuddalore District, Cuddalore 607001.
- 2.The Tahsildar
Cuddalore Taluk, Cuddalore
Cuddalore District.
- 3.The District Surveyor
Cuddalore, Cuddalore Taluk
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B.RAJENDRAN, J.,

AP

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