

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.10.2016

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

W.P.No.36254/2016

W.Jasmin Rachal @ Malliga .. Petitioner

Vs.

1.The Tahsildar
Arakkonam Taluk,
Vellore District.

2.Selvi Queenmary .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondent to consider and pass orders on the petitioner's representation dated 08.08.2016 to conclude and pass orders on enquiry based on petitioner representation dated 08.08.2016 with regard to conclusion of patta within the stipulated time to be fixed by this Court.

For Petitioner : Mr.D.Nandagopal
For R1 : Mr.R.S.Selvam, GA

ORDER

Heard the learned counsel for the petitioner and Mr.R.S.Selvam, learned Government Advocate who accepts notice on behalf of the 1st respondent and with the consent on either side, the writ petition is taken up for final disposal.

2 The petitioner would state that her husband Thiru Williams [late] was assigned with a property/land by the Government admeasuring to an extent of 1.43 cents comprised in S.No.383/2 situate at Thanigai Polur Village, Arakkonam Taluk, Vellore District and he was in continuous possession and enjoyment till his death. Subsequent to the death of her husband, the 2nd respondent herein has fraudulently obtained patta [bearing Patta No.382] in her name in respect of 40 cents of land out of 1.43 cents by changing her father's name as [late] Williams ; whereas her father name is C.Jayaraman Reddy. On 16.10.2015, the petitioner submitted a petition before the Taluk Legal Services Committtee, Arakonam to cancel the patta issued in favour of the 2nd respondent herein and the said petition was forwarded to the 1st respondent herein on 30.10.2015, pursuant to which, the petitioner was called for an enquiry on 20.06.2016 and 14.07.2016 respectively. It is the further submission of the petitioner that the 2nd respondent did not appear for the enquiry on both the days and in the interregnum, the 2nd respondent is trying to dispossess the property, viz., 40 cents, to the 3rd party. In this regard, the petitioner has submitted a representation to the 1st respondent on 08.08.2016. But, the said representation has not been disposed of till date.

Therefore, the petitioner is constrained to approach this Court by filing the present writ petition.

3 This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the claim projected by the petitioner either in this writ petition or in the representation dated 08.08.2016, directs the 1st respondent to consider and dispose of the petitioner's representation dated 08.08.2016 on merits and in accordance with law, after issuing notice to the 2nd respondent herein and pass orders as expeditiously as possible and communicate the decision taken, to the petitioner as well as to the 2nd respondent herein.

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

18.10.2016

AP

To

The Tahsildar
Arakkonam Taluk,
Vellore District.

B.RAJENDRAN, J.,
AP

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