

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.3757 of 2016

1.T.Nageshwari
2.T.Hemavathi
3.T.Gopinath
4.T.Rukumani

.. Petitioner

Vs.

1.Revenue Divisional Officer
Tambaram
Kanchipuram District.

2.The Tahsildar
Sholinganallur Taluk,
Kanchipuram District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus to direct the first respondent to set aside the order made in Na.Ka.No.10727/2015/Aa3 dated 07.08.2015 passed by the 2nd respondent and consequently restore the revenue records prior to the alleged mutation based on the petitioner's appeal dated 12.09.2015.

For Petitioner : M/s.M.Rajendran

For respondents: Mr.M.Dig Vijay Pandian,
Additional Government Pleader

O R D E R

With the consent of both sides, the Writ Petition is taken up for final disposal.

2.The petitioners has come up with the present writ petition for issuance of writ of mandamus to direct the first respondent to set aside the order made in Na.Ka.No.10727/2015/Aa3 dated 07.08.2015 passed by the 2nd respondent and consequently restore the revenue records prior to the alleged mutation based on the petitioner's appeal dated 12.09.2015.

3.The petitioners submitted that the property in Survey No.39/5 measuring 0.25hectare and S.No.39/6 measuring 01.18.5 hectare situated at No.148, Chithalapakkam Village, Solinganallur

Taluk, Kancheepuram District belongs to one Govindasamy s/o.Ellappa Naidu as per the "A" Register which is under the possession and enjoyment for more than 50years vide patta No.223 by the said Govindasamy Naidu.

4.The petitioners are the legal heirs of Manikka Naidu who is the brother of Govindasamy Naidu. In this juncture, a fraudulent patta has been obtained by impersonating the names of the petitioners i.e, 1)T.Nageshwari 2)T.Hemavathi 3)T.Gopinath and 4)T.Rukumani, stating that they made representation to the Tahsildar on 31.12.2014 to transfer of patta. But this property is no way connected to the petitioners, their names were included in the patta by impersonation and fraudulent documents for getting transfer of patta vide joint patta No.4723.

5.But the Revenue Inspector, Medavakkam passed the proceedings in U.Mu.No.611/2015 dated 29.06.2015 recommended to transfer of patta as if the petitioners applied for transfer of patta. Further the patta No.4723 has been issued by the second respondent in fraudulent manner by including their names. Hence, the petitioners filed their objections before the first respondent by way of appeal for the alleged joint patta No.4723 vide proceedings in Na.Ka.No.10727/2015/Aa3 dated 07.08.2015. The said appeal is pending before the first respondent for quite long time, hence the petitioners approached this court by way of present writ petition.

6.Heard the submissions of learned counsel appearing for the petitioners and the learned Additional Government Pleader who accepts notice on behalf of the respondents.

7.This Court, taking into consideration the prayer sought for by the petitioners and without going into the merits of the same, directs the first respondent to expedite the hearing of the appeal proceedings filed by the petitioners and pass appropriate orders preferably within a period of six weeks from the date of receipt of a copy of this order.

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

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

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To

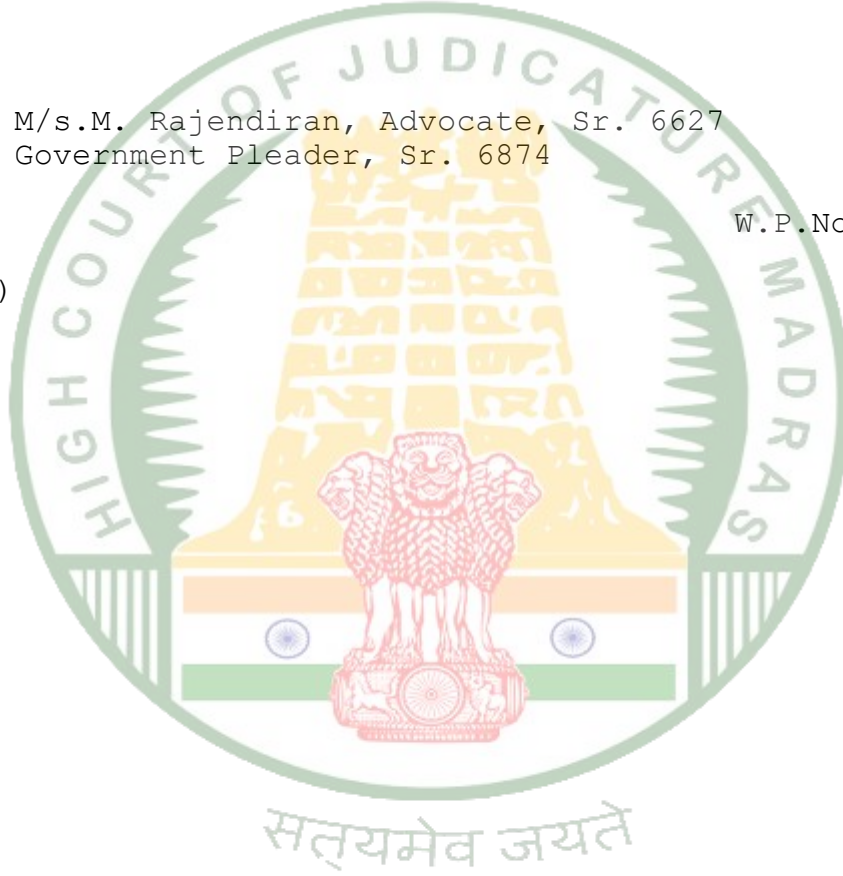
1.Revenue Divisional Officer,
Tambaram,
Kanchipuram District.

2.The Tahsildar,
Sholinganallur Taluk,
Kanchipuram District.

1 cc to M/s.M. Rajendiran, Advocate, Sr. 6627
1 cc to Government Pleader, Sr. 6874

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