

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.4280 of 2016

Thimmakka

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Petitioner

Vs.

1.The Sub Collector,
Hosur, Krishnagiri District.

2.The Tahsildar,
Hosur Taluk Office,
Hosur.

3.Mr.Venkatakrishnan

...

Respondents

PRAYER : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus directing the respondents 1 and 2 to consider the petitioner's representation, dated 02.02.2015, for deletion of name of third respondent from computerized patta No.949 in respect of lands in Survey Nos.797/2 and 797/3 of Kundumaranapalli Village, Dhenkanikotta Taluk, Krishnagiri District, and issue computerized patta in favour of the petitioner.

For Petitioner : Mr.R.Bharath Kumar

For Respondents : Mr.P.Sanjay Gandhi,
Addl.Govt.Pleader.

O R D E R

Petitioner has filed this Writ Petition, praying for issuance of a writ of mandamus, directing the respondents 1 and 2 to consider her representation, dated 02.02.2015, for deletion of name of third respondent from computerized patta No.949 in respect of lands in Survey Nos.797/2 and 797/3 of Kundumaranapalli Village, Dhenkanikotta Taluk, Krishnagiri District, and issue computerized patta in her favour.

2. The case of the petitioner is that she purchased the lands to an extent of 1.28 ½ acres comprised in Survey No.797/2

and 0.21 ½ acres in Survey No.797/3 of Kundumaranapalli Village, Dhenkanikotta Taluk, Krishnagiri District, under a Sale Deed, dated 20.05.1999, registered as Document No.1406/1999 on the file of Sub-Registrar, Kelamangalam, from one Rudramma for a valid consideration; and, subsequently, she purchased land to an extent of 2 acres in Survey No.797/2 of Kundumaranapalli Village, under a Sale Deed, dated 19.07.2012, registered as Document No.4561 of 2012, on the file of Sub-Registrar, Kelamangalam; and, thus, she has become the absolute owner of 3.50 acres of lands and ever since the date of purchase, she is in peaceful possession and enjoyment of the same, by remitting necessary taxes and public dues. It is also her case that revenue records have been mutated in her favour vide patta No.949 in respect of lands in Survey No.797/2 and 797/3; she approached the banks for financial assistance to develop her land and the officials of the banks instructed her to obtain computerized patta and chitta extract for the abovesaid land; hence, she approached the respondents for subdivision and computerized patta for her land; however, to her shock and surprise, the name of one Venkatakrishnan, who is third respondent herein, has been included in patta No.949. Therefore, she has submitted a representation, dated 02.02.2015, to the Tahsildar, requesting him to delete the wrong entry made in patta No.949 and issue a computerized patta in her favour. Since there is no reply for the said representation, the petitioner has approached this Court, by way of this Writ Petition.

3. I have heard the learned counsel for the parties.

4. Considering the submissions made by the learned counsel for the parties, without going into the merits of the case, the petitioner is directed to submit a fresh representation to the second respondent along with a copy of this order within a period of one week from the date of receipt of a copy of this order, and on receipt of such representation, the second respondent is directed to consider the said representation and pass appropriate orders, after affording an opportunity of hearing to the petitioner, the third respondent, and also the necessary parties, if any, within a period of four weeks thereafter.

5. Writ Petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

dixit

To

1.The Sub Collector,
Hosur, Krishnagiri District.

2.The Tahsildar,
Hosur Taluk Office,
Hosur.

1 cc to Mr. Barath Kumar, Advocate, Sr. 7637

1 cc to Government Pleader, Sr. 7925

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