

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2016

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.5785 of 2016

S.Chandirammal

.. Petitioner

Vs.

1. The District Collector,
Tiruvallore District, Tiruvallore.
2. The Thasildar, Taluk Office,
Maduravoyal, Chennai-95. .. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus for direction to consider the petitioner's representation, dated 09.02.2016 by the respondents and consequently direct the first respondent to cancel any ceiling proceedings against the properties based on issuance of patta document assigned in the name of the petitioner under the petitioner's partition deed, dated 07.10.2015 by the second respondent.

For Petitioner : Mr.T.V.G.Kartheeban

For Respondents : Mr.V.Jayaprakash Narayanan, Spl.G.P.

ORDER

The petitioner has filed this Writ Petition for issuance of a Writ of Mandamus to direct the respondents to consider the petitioner's representation, dated 09.02.2016 and consequently direct the first respondent to cancel any ceiling proceedings against the petitioner's properties based on issuance of patta document assigned in the name of the petitioner under the petitioner's partition deed, dated 07.10.2015 by the second respondent.

2. It is averred by the petitioner in the affidavit filed in support of the Writ Petition that based on the registered Partition Deed, dated 07.10.2015, she is the absolute owner of the property allotted in 'A' schedule property situated in Tiruvallore District, Maduravoyal

Taluk, head of the registration at South Chennai District, on the file of Kundrathur Sub-Registrar Office, Mathuravedu Village, in Old Survey No.4/12.E, New Survey No.51/10.B in acre 0.33 cents out of acre 0.12.84 cents (5602-1/2 Sq.Ft). When the petitioner approached the second respondent for issuance of patta in respect of her share of property, she was refused patta, since the property is under the ceiling proceedings by the first respondent. It is her further case that her co-sharer was assigned with Patta in Patta No.11 in respect of the share of the co-sharer, pertaining to 'B' schedule property in the said partition deed, dated 07.10.2015. Hence, she gave a representation, dated 09.02.2016 to the respondents 1 and 2 and since the same is pending, the petitioner has filed this Writ Petition for the above relief.

3. Heard the learned counsel for the petitioner and the learned Special Government Pleader, who took notice for the respondents.

4. Without going into the merits of the case, this Writ Petition is disposed of, with a direction to the second respondent to consider the said representation of the petitioner, dated 09.02.2016 and after giving an opportunity of hearing to the petitioner and necessary parties, dispose of the said representation, on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

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Copy to

1. The District Collector,
Tiruvallore District, Tiruvallore.

2. The Thasildar, Taluk Office,
Maduravoyal, Chennai-95.

1 cc to Government Pleader, Sr. 10251

1 cc to Mr.T.V.G. Kartheeban, advocate, Sr. 10297

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KSJ (CO)

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