



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.09.2016

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE V.BHARATHIDASAN

Writ Petition(MD)No.10515 of 2015

K.Pandiammal

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Sivagangai
Sivagangai District.

3.The Tahsildar,
Sivagangai Taluk,
Sivagangai District.

4.Gnanasekaran

5.Vimala

6.Senthil ... Respondents

(R-4 to R-6 impleaded vide court order dated 29.03.2016
in WMP(MD).2312/2016)

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus directing the respondents to rectify the defective patta in computer records in respect of the lands in Survey No.191/3 measuring extent of 0.71.0 Ares, Patta No.393, Kanchirangal village, Sivagangai Taluk Sivagangai District and to restore the patta to the petitioner based on the representation dated 09.02.2015.

For Petitioner

: Mr.N.Madhava Govindan

For Respondents

: Mr.R.Ananadraj

Government Advocate for RR1 to 3
No appearance for R4 to R6

ORDER

This Writ Petition has been filed directing the official respondents to rectify the defective patta in computer records in respect of the lands in Survey No.191/3, measuring an extent of 0.71.0 Ares, Patta No.393, Kanchirangal village, Sivagangai Taluk Sivagangai District and to restore the patta to the petitioner, based on her representation dated 09.02.2015.



2. According to the petitioner, Mrs.K.Pandiammal, her father one Kuppusamy is the owner of the disputed land and he filed a suit against one Nachiappan, father of the respondents 4 to 6 in O.S.No.66 of 1976 on the file of the District Munsif Court, Sivagangai and obtained a decree in his favour on 23.12.1977 and the above decree has become final. Subsequently, the names of the respondents 4 to 6 have been included in the patta along with the petitioner, in view of the decree obtained by her father, she alone is entitled to have patta. Therefore, she filed an application before the first respondent/District Collector, Sivagangai District, which has been forwarded to the second and third respondents, to rectify the above defect. On 09.02.2015, she also made a representation before the respondents and the said representation is pending. Since no action has been taken on her representation, she has filed the present writ petition.

3. Even though notice has been issued to the respondents 4 to 6 and their names have been printed in the cause-list, no one is representing them.

4. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents 1 to 3.

5. Considering the fact that a decree has been passed in favour of the petitioner's father, the third respondent/Tahsildar, Sivagangai Taluk, Sivagangai District is directed to consider the representation of the petitioner, dated 09.02.2015 and pass suitable orders, after issuing notice to the respondents 4 to 6 and after conducting enquiry, within a period of 12 weeks from the date of receipt of a copy of this order. Accordingly, this Writ Petition is disposed of. There shall be no order as to costs.

Sd/-

Assistant Registrar(P&A)

/True Copy/

Sub-Assistant Registrar

To

1. The District Collector, Sivagangai District, Sivagangai.

2. The Revenue Divisional Officer, Sivagangai
Sivagangai District.

3. The Tahsildar, Sivagangai Taluk, Sivagangai District.

+One cc to Mr.N.Madhava Govindan, Advocate, SR.No.55002

+One cc to The Special Government Pleader, SR.No.55164

vs

RL/6C/2P/AAL/MPA/5.10.2016

W.P(MD)No.10515 of 2015

22.09.2016