



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.07.2016

C O R A M

THE HONOURABLE MR.JUSTICE T.RAJA

W.P(MD)No.12832 of 2016

Kaliammal

.. Petitioner

Vs.

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Sivakasi,
Virudhunagar District.

..Respondents

Prayer : Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus, directing the second respondent to include the name of legal heirs in patta No.1930 in respect of property at Virudhunagar District, Sivakasi Taluk, Eenjar Village, Ayan Punjai in Survey No.1166/2A to a total extent of 2.52.50 hectares, by considering the petitioner's representation, dated 17.06.2016.

For Petitioner : Mr.R.Prabhu Ramachandran

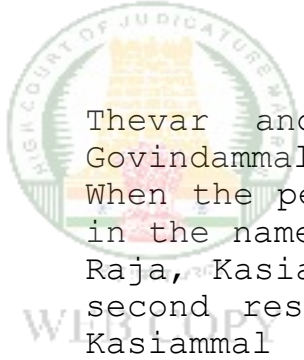
For Respondents : Mr.J.Gunaseelan Muthiah
Government Advocate

ORDER

This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the second respondent to include the name of legal heirs in patta No.1930 in respect of property at Virudhunagar District, Sivakasi Taluk, Eenjar Village, Ayan Punjai in Survey No.1166/2A to a total extent of 2.52.50 hectares, by considering the petitioner's representation, dated 17.06.2016.

2. Heard the learned counsel for the petitioner. Mr.J.Gunaseelan Muthiah, learned Government Advocate takes notice for the respondents.

3. The learned counsel appearing for the petitioner submitted that originally, survey No.1166/2A belongs to the petitioner's father-V.Veerapa Thevar. After his demise, the petitioner, Eswara Thevar, Eswarammal, Lakshmiammal, Govindammal and Ganapathi Ammal were the legal heirs of the above said property. Later, Eswara



Thevar and Eswariammal had passed away. After their demise, Govindammal, Ganapathiammal and the petitioner were the only heirs. When the petitioner came to know that the above said property stood in the name of the petitioner's elder brother-Eswara Thevar, Archuna Raja, Kasiammal and Gurusamy Thevar and enquired the same with the second respondent on coming to know that the said Archuna Raja, Kasiammal and Gurusamy Thevar had given loan to the petitioner's brother-Eswara Thevar, on mortgage of the property, he has given a representation to the respondents on 17.06.2016 to include the name of the legal heirs namely V.Krishnammal, Eswara Thevar, Eswariammal, Lakshmiammal, Govindammal and Ganapathiammal and the petitioner, but the said representation has not been considered by the respondents so far, hence, the petitioner has filed the present Writ Petition.

4. On a perusal of the records would show that the petitioner has not impleaded the necessary parties to the Writ Petition. Hence, this Court is not inclined to entertain the Writ Petition for the reason that the petitioner has not impleaded the necessary parties. Accordingly, this Writ Petition is dismissed for non-joinder of necessary parties. No costs.

Sd/-

Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1.The District Collector,
Virudhunagar District,
Virudhunagar.

2.The Tahsildar,
Sivakasi,
Virudhunagar District.

+1cc to M/S Special Government Pleader, Sr No. 38769

jam/29.08.16/DB/2p-4c

W.P (MD) No.12832 of 2016

21.07.2016