

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2017

CORAM:

THE HONOURABLE MR. JUSTICE B.RAJENDRAN

WRIT PETITION No.519 of 2017
and
WMP.NO.545 of 2017

Thimmakkal

... Petitioner

vs.

1. The District Collector,
Krishnagiri District,
Krishnagiri.
2. The Revenue Divisional Officer,
Krishnagiri,
Krishnagiri District.
3. The Tahsildar,
Bargur Taluk Office,
Bargur - 635 104
Krishnagiri District.
4. The Revenue Inspector,
Bargur - 635 104
Krishnagiri District.
5. The Village Administrative Officer,
Bargur - 635 104,
Krishnagiri District.
6. Thippannan
7. Kala
8. M.Venkatesan
9. Govindaraj
10. K.Saravanan
11. S.G.Murugan
12. The Sub-Registrar,
Sub-Registrar Office,
Bargur Taluk,
Bargur, Krishnagiri District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus, directing the 3rd respondent herein to issue patta to the petitioner based on her representation dated 07.05.2013.

For Petitioner : Mr.V.Raghavachari,
for Mr.C.Thilagaraj

For Respondents: Mr.R.S.Selvam
1 to 5 & 12 Government Advocate

O R D E R

The petitioner has come up with this Writ Petition seeking a direction to the 3rd respondent to issue patta to her based on her representation dated 07.05.2013.

2. According to the petitioner, her father Govindappa Naidu, who was the absolute owner of the immovable property viz. agricultural land measuring an extent of 2.00 acres comprised in S.No.135/2 situated in Bargur Village, Krishnagiri District, executed a Settlement Deed in her favour by way of a registered Settlement Deed dated 27.06.1972 registered as Doc.No.1153 of 1972 on the file of the Joint Registrar Office, Krishnagiri. Subsequent to the Settlement Deed, the petitioner is in peaceful possession and enjoyment of the property and doing agricultural operations.

3. The case of the petitioner is that when she had applied for patta with the Tahsildar, Bargur, she was informed that the patta for the above said properties was wrongly issued in the name of one Thippannan. Hence, she gave a representation to the 1st respondent on 07.05.2013 seeking cancellation of patta issued in favour of Thippannan and issuance of fresh patta in her favour for S.No.135/2. Pursuant thereto, the 1st respondent forwarded the petitioner's representation to the 3rd respondent and the 3rd respondent called upon the petitioner, the said Thippannan and five others for an enquiry.

4. The petitioner's grievance is that despite participating in the enquiries held on 14.11.2014, 06.03.2015 and 01.07.2016, the 3rd respondent has not taken any action for issuance of patta, based on the petitioner's representation. Hence, having no other efficacious alternative remedy, the petitioner is before this Court.

5. Heard the learned counsel on either side and perused the material documents available on record.

6. Considering the facts and circumstances of the case and without going into the merits of the case, this Court directs the 3rd respondent to consider the petitioner's representation dated 07.05.2013 on merits and in accordance with law and pass appropriate orders within a period of two months from the date of receipt of a copy of this order.

This Writ Petition is disposed of with the above direction. No costs. Consequently, connected W.M.P.No.545 of 2017 is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

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To:

1. The District Collector,
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5. The Village Administrative Officer,
Bargur - 635 104,
Krishnagiri District.
6. The Sub-Registrar,
Sub-Registrar Office,
Bargur Taluk,
Bargur, Krishnagiri District.

+1cc to Mr.C. Thilagaraj, Advocate, S.R.No.1760

+1cc to the Government Pleader, S.R.No.2222

NM(CO)

EU 03.2.17

W.P.No.519 of 2017