

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.03.2017

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

WP.No.6578/2017

K.Vennila

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Petitioner

Versus

1.The District Collector
Tiruvannamalai District.

2.The Revenue Divisional Officer
RDO Office, Tiruvannamalai.

3.The Tahsildar
Taluk Office, Tiruvannamalai.

4.B.Thaiyalnayagi

..

Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 2nd respondent to consider and dispose the representation dated 24.04.2015 within time limit framed by this Court to delete the name of the 4th respondent's husband Balakrishnan in the patta NO.568.

For Petitioner : Mr.K.Narayanan

For RR 1 to 3 : Mr.Era.Premnath,
Government Advocate

ORDER

By consent, the writ petition is taken up for final disposal. Mr.Era.Premnath, learned Government Advocate accepts notice on behalf of the respondents 1 to 3.

2 The petitioner would aver that her husband viz., Kuppasamy, is the owner of the lands admeasuring to an extent of 2.20 acres in S.No.120/6 and 0.85 acres comprised in S.No.244/1B situate at Sellangkuppam Village, Tiruvannamalai Taluk and District and he was also issued with Patta No.568. The petitioner would further aver that her husband subsequently, executed a registered Settlement Deed dated 25.04.2013 bearing

Doc.No.1093/2013 and she move the concerned authority for transfer of patta and to her shock and surprise, she was issued with Patta No.568, only in respect of the land admeasuring to an extent of 2.20 acres in Survey No.120/6 and curiously, in respect of 0.85 cents of land in S.No.244/1b, the name of one Mr.Balakrishnan, son of Chinnapayan, appears and the said person is nothing to do with the land settled in favour of the petitioner by her husband and would further add that the said person, viz., Balakrishnan, also died on 01.01.2006 and also produced the Death Register Extract issued by the Additional Deputy Tahsildar, Tiruvannamalai.

3 The learned counsel for the petitioner would submit that the petitioner, in this regard, has submitted a representation dated 24.04.2015 to the Revenue Divisional Officer, Tiruvannamalai-the 2nd respondent herein, for deletion of the name of Balakrishnan, S/o.Chinnapayyan, in respect of the above said landed property and though it was received and acknowledged, so far no orders have been passed and therefore, the petitioner is constrained to approach this Court by filing the present writ petition.

4 The Court heard the submissions of Mr.Era.Premnath, learned Government Advocate appearing for the respondents.

5 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, permits the petitioner to submit one more representation to the 2nd respondent along with a copy of this order as well as a copy of the earlier representation dated 24.04.2015 within a period of two weeks from the date of receipt of a copy of this order and upon receipt of the same, the 2nd respondent, shall put the 4th respondent on notice and thereafter, consider and pass orders on the petitioner's representation on merits and in accordance with law within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner as well as to the 4th respondent.

6 The writ petition stands disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

//True Copy//

AP

Sub Assistant Registrar

To

1.The District Collector
Tiruvannamalai District.

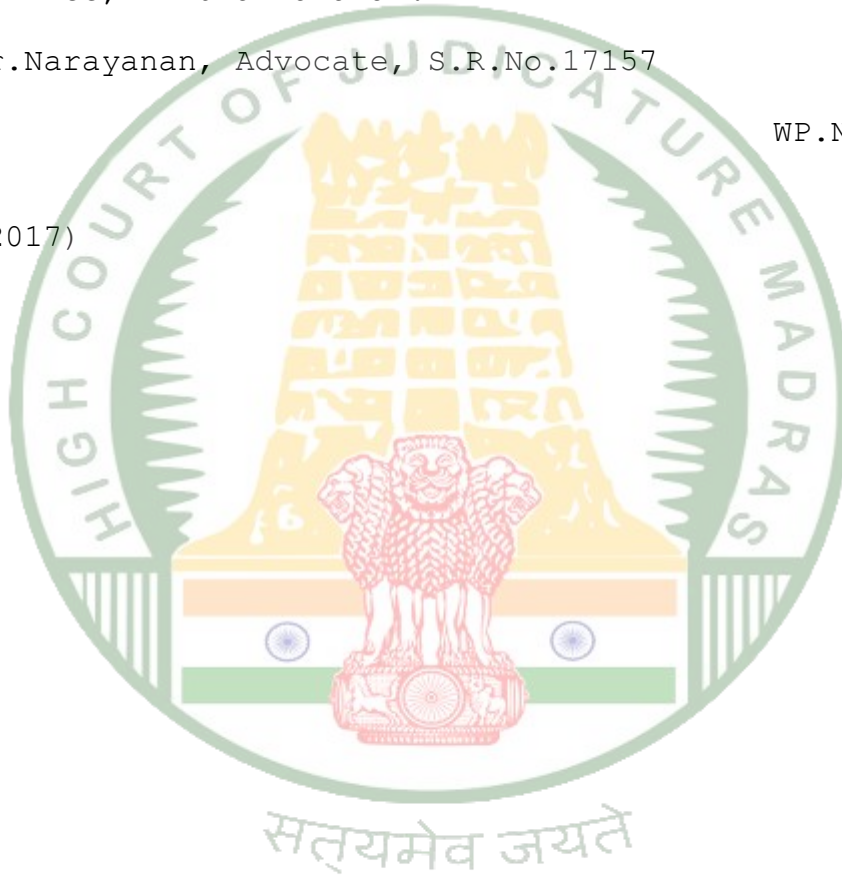
2.The Revenue Divisional Officer
RDO Office, Tiruvannamalai.

3.The Tahsildar
Taluk Office, Tiruvannamalai.

+1cc to Mr.Narayanan, Advocate, S.R.No.17157

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RSK(CO)
RS(04/04/2017)



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