



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.07.2017

CORAM

WEB COPY

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P. (MD) No.13235 of 2017

S.Innunjariya @ Rajathi

... Petitioner

Vs.

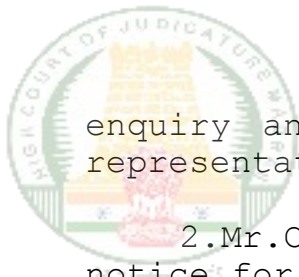
1. The District Collector,
Office of the District Collector,
Thanjavur District.
2. The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur District.
3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Katcheri Road, Kumbakonam,
Thanjavur District.
4. The Tahsildar,
Office of the Tahsildar,
Papanasam Taluk,
Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to conduct detailed enquiry and remove the name John @ Abdul Kadar from the joint patta No.239, survey No.83/3A, in Araiypuram village, Papanasam Taluk, Thanjavur district in accordance with law on the basis of the petitioner's representation dated 07.06.2017 within the time stipulated by this Court.

For Petitioner	: Mr.I.Sabeer Mohamed
For Respondent	: Mr.C.Selvaraj
	Special Government Pleader

ORDER



enquiry and remove the name of John @ Abdul Kadar based on the representation dated 07.06.2017.

2.Mr.C.Selvaraj, learned Special Government Pleader takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3.The case of the petitioner is that she purchased 1 acre 78 cents in survey No.83/3A, in Araiypuram Village, Papanasam Taluk, through a registered sale deed, dated 10.04.1985, and thereafter purchased another 22 cents. As such, she had been possession and enjoyment of the property.

4.The learned counsel appearing for the petitioner would state that she sold the portion of land to one Abdul Malik, Janath Nasima, Sahul Hammed and Habeeb Kani. The remaining lands are in possession of the petitioner.

5.The learned counsel appearing for the petitioner would allege that her brother John @ Abdul Kadar has no right over the property, but his name was wrongly included in the patta. Hence, she made a representation to the respondents to remove her brother's name. Since no action was taken, the present writ petition has been filed.

6. Considering the limited scope of the prayer sought for in this writ petition, this Court, without going into the merits of the matter, directs the third respondent to consider the representation of the petitioner dated 07.06.2017 and pass appropriate orders on merits and in accordance with law, after providing opportunity to all necessary parties, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS-II)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Office of the District Collector,
Thanjavur District.

2. The District Revenue Officer,
Office of the District Revenue Officer,
Thanjavur District.



3. The Revenue Divisional Officer,
Office of the Revenue Divisional Officer,
Katcheri Road, Kumbakonam,
Thanjavur District.

4. The Tahsildar,
Office of the Tahsildar,
Papanasam Taluk,
Thanjavur District.

+ 1 CC TO Mr.I.SABEER MOHAMED, ADVOCATE IN SR No. 66248
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 66559

SSS/SKN

TE/MR-KKR/SAR-IV : 02/08/2017 : 3P/7C

W.P. (MD) No.13235 of 2017
19.07.2017