

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.02.2018

CORAM

THE HONOURABLE MR.JUSTICE K.RAVICHANDRABAABU

Writ Petition No.3179 of 2018

Smt.S.Indira
W/o.N.Srinivasan

... Petitioner

versus

1. The District Collector
Chennai District Collectorate Office
Chennai.

2. The Tahsildar
Sholinganallur Taluk
Chennai District.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the 2nd respondent to include the petitioner and her son's name in the Patta Nos.7981 and 8054 in respect of the properties situated at Okkiyam Thuraipakkam Village as joint Patta holders along with Sri.V.Natarajan (as represented in her application dated 20.11.2017) forthwith.

For Petitioner : Mr.S.Vennimalai
For Respondents : Mr.D.Suriyanarayanan
Additional Government Pleader

O R D E R

Mr.D.Suriyanarayanan, learned Additional Government Pleader takes notice for the respondents. By consent of the parties, the main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for mandamus directing the second respondent to include the petitioner and her son's name in the Patta Nos.7981 and 8054, in respect of the properties situated at Okkiyam Thuraipakkam Village, as joint Patta holders along with one V.Natarajan, father-in-law of the petitioner.

3. It is stated that the subject matter property was originally owned by the three brothers, out of whom, one by name N.Srinivasan, is the husband of the petitioner. It is stated that all the three brothers died and however, the petitioner and her son, who are the legal heirs of the deceased N.Srinivasan, were not brought on record in the said Patta, as the co-owners. Therefore, the petitioner made a representation on 20.11.2017, seeking for inclusion of her name as well as her son's name in the said Patta.

4. The grievance of the petitioner before this Court is that the said representation has not been considered so far. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the second respondent to consider and decide the same. Accordingly, this writ petition is disposed of, only with a direction to the second respondent to consider the representation of the petitioner dated 20.11.2017 and pass orders on the same on merits and in accordance with law, after hearing the petitioner and rival claimants, if any. Such exercise shall be done by the second respondent within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The District Collector
Chennai District Collectorate Office
Chennai.

2. The Tahsildar
Sholinganallur Taluk
Chennai District.

+1cc to Mr.S.VENNIMALAI, Advocate, S.R.No. 11093
+1cc to the Government Pleader, S.R.No.11771

W.P.No.3179 of 2018

MG (CO)
TR(23/02/2018)