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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.7761 of 2014
and
M.P.Nos.1 & 2 of 2014

1. G.Ellappa Reddy
2. N.Malliga
3. S.Gowsalya
4. E.Shanmugam
5. E.Selvam

... Petitioners

Vs

- 1.The District Collector
Collectorate
Sathuvachari
Vellore District.
- 2.The Revenue Divisional Officer
Ranipet,
Vellore District.
- 3.The Tahsildhar
Arakkonam Taluk
Vellore District.
- 4.The Village Administrative Officer
Sainapuram Village
Arakkonam Taluk
Vellore District.
- 5.Keeliammal
- 6.Mani
- 7.Venkatesan
- 8.Ekambaram
- 9.Arumugam
- 10.Vasantha
- 11.Ranganayagi



12. Mariammal

13. G. Prabakaran

... Respondents

*R13 impleaded as per the order of this Court
dated 04.09.2018 in M.P.No.3 of 2014 in
W.P.No.7761 of 2014

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus, directing the respondents herein to consider the petitioner's representation dated 30.12.2013 and further direct the 2nd respondent herein to grant joint patta in the name of the petitioner to the properties situated to an extent of 63 cents in to a total extent of 84 cents in S.No.400/2 and to an extent of 33 cents in S.No.423/4 Sainapuram Village Account, Arakkonam Taluk, Vellore District.

For Petitioners: Mr.A.Gouthaman

For Respondents: Mr.V.Shanmuga Sundar
Special Government Pleader
For R1, R3 & R4
Mr.C.Chokkalingam, for R5 to R12

O R D E R

The petitioners have come up with the present writ petition for a mandamus to direct the second respondent to issue joint patta in favour of the petitioners, for the properties situated at Sainapuram Village Account, Arakkonam Taluk, Vellore District, comprised in S.No.400/2, measuring an extent of 84 cents and S.No.423/4 measuring an extent of 33 cents, based on their representation dated 30.12.2013.

2. It is the case of the petitioners that the first petitioner's wife Unnamalai Ammal purchased a land to an extent of 0.42 cents in S.No.400/2, Sainapuram Village Account, Arakkonam Taluk, Vellore District from one Nagarathina Reddy on 22.07.1961. Since then she was in peaceful possession and enjoyment of the above said property. She died on 04.12.1967, leaving the petitioners as her legal heirs. On 16.12.1985, the first petitioner purchased a land to an extent of 21 cents in S.No.400/2, Saniapuram Village Account, Arakkonam Taluk, Vellore District from one Manonmani Ammal, wife of Nagarathina Reddy and registered with the Sub-Registrar, Nemeli. Since the said property had been purchased from the income of the family members, all the petitioners have equal share over the property and hence, the petitioners are enjoying the property jointly. While things stood thus, a Joint Patta No.792 was wrongly issued by the Revenue Department to the persons, who were no way



connected to the said property. Hence, the petitioners gave several representations before the concerned authorities, but none was considered. Hence, the present writ petition.

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3. The learned Special Government Pleader appearing for the respondents 1, 3 and 4 on instructions submitted that the representation of the petitioners would be considered on merits and in accordance with law.

4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the second respondent to consider the petitioners' representation dated 30.12.2013 and pass appropriate orders on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioners, respondents 5 to 13 and other interested parties, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

- 1.The District Collector,
Collectorate,
Sathuvachari,
Vellore District.
- 2.The Revenue Divisional Officer,
Ranipet,
Vellore District.
- 3.The Tahsildhar,
Arakkonam Taluk,
Vellore District.



4.The Village Administrative Officer,
Sainapuram Village,
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+1cc to the Government Pleader, Sr.61297

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