

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.8867 of 2018

1. S.Kasthuri
2. P.Saraswathy .. Petitioners

-vs-

1. The District Collector
Collectorate
Tiruvallur
Tiruvallur District

2. District Revenue Officer
Tiruvallur, Tiruvallur District
Pincode 602 001

3. The Revenue Divisional Officer
J.N.Road
Tiruvallur
Tiruvallur District

4. The Tahsildar
Taluk Office
Poonamallee Taluk
Tiruvallur District ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the first respondent to dispose the petitioner's representation dated 12.3.2018 to correct the patta Nos.13, 29, 33 relating to the lands measuring Ac.5.39 cents situated at Thookkanampattu village, Poonamallee Taluk, Tiruvallur District by including the name of the petitioners.

For Petitioners :: Mr.P.Dhananjayan

For Respondents :: Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

This writ petition has been filed seeking a mandamus to the first respondent to dispose the petitioner's representation

dated 12.3.2018 to correct the patta Nos.13, 29, 33 relating to the lands measuring Ac.5.39 cents situated at Thookkanampattu village, Poonamallee Taluk, Tiruvallur District by including the name of the petitioners.

2. Learned counsel for the petitioners submitted that the petitioners, being the daughters of late Mr.Ramachandra Naidu, claiming respective share in the property purchased by their father late Mr.Ramachandra Naidu, had given a representation on 28.8.2013 to the District Revenue Officer, Tiruvallur, the second respondent herein for correction of patta. Finding no response, one more representation was given on 21.11.2014. In the meanwhile, they have gone to the Tahsildar, Taluk Office, Poonamalle, the fourth respondent herein. Again they have made another representation to the District Revenue Officer, Tiruvallur on 4.7.2016.

3. But since none of the representations said to have been given by the petitioners carry any endorsement including the seal of the office of either the Tahsildar or the District Revenue Officer, this Court is not inclined to entertain the writ petition. Secondly, the petitioners claim that they are the daughters of late Mr.Ramachandra Naidu, who is said to have purchased 1.91 acres of land in Survey No.13/1B2 situated at Thookkanampattu village, Poonamalle Taluk, Tiruvallur District by way of a sale deed dated 22.1.1970 registered as Document No.184 of 1970 and another extent of 2.68 acres of land in Survey No.7/2 situated at Thookkanampattu village, Poonamalle Taluk, Tiruvallur District by way of a sale deed dated 25.3.1976 bearing Document No.553 of 1976. It is also claimed that the petitioners father also purchased another land having an extent of 0.80 cents forming part of 2.91 acres in punja survey no.10 in the same village under a sale deed dated 22.5.1979 bearing Document No.1695 of 1979. It is stated that the father of the petitioners died on 21.7.1985. Later on, a legal heirship certificate was also obtained by the petitioners on 3.2.2005. Subsequently, when they verified with the revenue records, the mother of the petitioners, in collusion with her son, without including the names of the petitioners/daughters, alienated the aforementioned properties without giving them any share. Therefore, the aforementioned representations dated 28.8.2013, 21.11.2014, 4.7.2016 and 12.3.2018 were given. But till date, no response is coming either from the Tahsildar or the District Revenue Officer. In view of the same, the prayer of the petitioners to issue a direction also cannot be granted. The reason is that when there is a dispute with regard to the partition of the properties covered in the aforementioned survey numbers, the petitioners cannot simply seek for correction of the patta numbers. Therefore, this Court is not inclined to entertain the writ petition. Accordingly, this writ petition is

dismissed giving liberty to the petitioners to work out their remedy in the manner known to law. Consequently, W.M.P.No.10718 of 2018 is also dismissed. No costs.

Sd/-
Assistant Registrar(CS VI)

//True copy//

Sub Assistant Registrar

SS

To

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Poonamallee Taluk
Tiruvallur District

+1cc to Mr.P.Dhananjayan, Advocate SR.No.27490
+1cc to Government Pleader SR.No.28483

W.P.No.8867 of 2018

SVI (CO)
GN(26/04/2018)

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