

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 23.08.2018

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.14203 of 2017

S.Prabavathi

... Petitioner

..Vs..

1. The District Collector,
Kanchipuram District,
Kanchipuram.

2.The Thasildhar,
Sriperumputhur.

3.The Thasildhar,
Alandur.

4.Purushothaman

5.Hemanathan

.... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to change the patta in favour of the petitioner in respect of West Survey No.24/1-10 cents (4 ares) in Kolapakkam Village, Alandur taluk, formerly Sriperumputhur taluk, Kanchipuram District and cancel the patta that stands in the name of respondents 4 and 5.

For Petitioner : Mr.N.Suresh
For R1 to R3 : Mr.R.S.Selvam
For R4 & R5 : Mr.P.A.Chitramani

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O R D E R

The relief sought for in this writ petition is for a direction to direct the 3rd respondent to change the patta in favour of the petitioner in respect of Wet Survey No.214/1 - 10 cents (4 ares) in Kolapakkam Village, Alandur Taluk, formerly Sriperumputhur taluk, Kanchipuram District and thereby cancel the patta that stands in the name of respondents 4 and 5.

2. The learned counsel appearing for the petitioner made a submission that the writ petitioner is an absolute owner of the property in Survey No.214/1 - 10 cents belongs to his mother-in-law Tmt..Sakunthala Ammal. She purchased the above said property on 06.02.1969 for valid consideration from one Tmt.Lakshmi Ammal. The Mother-in-law of the writ petitioner was in possession and enjoyment of the property.

3. At the outset, the petitioner claims that she is the absolute owner of the property which is described in the writ petition. However, on submission of the application for grant of patta, the respondents have erroneously granted Patta in favour of the respondents 4 and 5. In respect of the said decision, the writ petitioner has submitted a representation to the 3rd respondent to reconsider the grant of patta by conducting an enquiry and thereby pass orders. However, a representation submitted by the writ petitioner is still pending.

4. Thus, this Court without going into the merits of the matter, the 3rd respondent is directed to consider the representation submitted by the writ petitioner on 23.01.2017 by affording reasonable opportunity to all the parties including the respondents 4 and 5 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The Writ petitioner is directed to sent copy of the representation and all other relevant documents along with the orders passed in this writ petition.

5. The writ petition stands disposed of with the above observation. No costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

sk/kkn

To

1. The District Collector,
Kanchipuram District,
Kanchipuram.

2.The Thasildhar,
Sriperumputhur.

3.The Thasildhar,
Alandur.

+1cc to M/S.N.Suresh, Advocate Sr.57698

+1cc to the Government Pleader Sr.57895

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srg 6/9/2018



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