

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.09.2018

CORAM

THE HONOURABLE MR. JUSTICE R.MAHADEVAN

W.P.No.23612 of 2018

N.Maheswari

.. Petitioner

Versus

1.The Tasildhar,
Chengalpet Taluk,
Chengalpet.

2.K.Mariappan

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the first respondent to pass orders on the petitioner's petition dated 02.06.2017 and grant Patta to the petitioner in respect of her lands in S.No.91/5 measuring 17.5 acres and totally 75 acres in Venkata Mangalam Village, Chengalpet Taluk, Kancheepuram District.

For Petitioner : Mr.R.Srinivas

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

O R D E R

By consent of both parties, the writ petition is taken up for final disposal at the admission stage itself.

2.The petitioner has come up with this writ petition seeking a direction to the first respondent to pass orders on her petition dated 02.06.2017 and grant patta in respect of her lands situated in S.No.91/5 Venkata Mangalam Village, Chengalpet Taluk, Kancheepuram District.

3.According to the learned counsel for the petitioner, originally patta was granted in favour of the second respondent on the basis of a decree obtained from the Civil Court fraudulently. Aggrieved by the same, the petitioner filed a Civil Revision Petition in C.R.P. No.3487 of 2011 and

ultimately, this Court observed in the order dated 24.09.2012 to the effect that the decree was obtained fraudulently and set aside the decree granted in favour of the second respondent. Thereafter, when the petitioner approached the first respondent, the first respondent is reluctant to take appropriate decision in favour of the petitioner. Hence, the petitioner made an application dated 02.06.2017 seeking patta. Finding no response, she is before this Court.

4.Mr.J.Ramesh, learned Additional Government Pleader taking notice for the first respondent, submitted that the first respondent be directed to take appropriate decision on the basis of the orders passed in C.R.P. No.3487 of 2011 dated 24.09.2012.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court directs the first respondent to consider the petitioner's representation dated 02.06.2017 keeping in mind the order of this Court dated 24.09.2012 in C.R.P. No.3487 of 2011 and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner as well as to the second respondent, within a period of six weeks from the date of receipt of a copy of this order.

6.Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS-VI)

//True copy//

Sub Assistant Registrar

vga

To

The Thasildar, Chengalpet Taluk, Chengalpet.

+1cc to Mr.K.Srinivas, Advocate SR.No.62509

+1cc to Government Pleader SR.No.62982

WP.No.23612 of 2018

GMV (03/10/2018)