

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.07.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15988 of 2018

Ponnusamy

.. Petitioner

vs

1.The District Collector,
Krishnagiri, Krishnagiri District.

2.The Revenue Divisional Officer,
Krishnagiri, Krishnagiri District.

3.The Tashildar,
Taluk Office,
Uthangarai,
Krishnagiri District.

4.Manicka Mudaliyar .. Respondents

Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents 1 to 3 to cancel the patta given to the fourth respondent and issue joint patta in the name of petitioner's family by considering representations dated 24.04.2017 and 20.03.2018 in respect of house site into an extent of 480 sq.m. comprised in S.No.60/1 Uthangarai Village No.159 situated at Narayana Nagar, Uthangarai Taluk, Krishnagiri District.

For Petitioner :: Mr.K.Kalaiyani

For Respondents :: Mrs.K.Bhuvaneswari,
Additional Government Pleader
for R1 to R3

ORDER

The petitioner has come to this Court seeking a direction to respondents 1 to 3 to cancel the patta given to the fourth respondent and issue joint patta in the name of his family by considering the representations dated 24.04.2017 and 20.03.2018 in respect of house site into an extent of 480 sq.m. comprised in S.No.60/1 situated at No.159, Narayana Nagar, Uthangarai Taluk, Krishnagiri District.

2.The case of the petitioner is that his father late Manicka Mudaliyar was granted the house site patta by the third respondent on 18.09.1992 to an extent of 480 sq.m. comprised in S.No.60/1 situated at No.159, Narayana Nagar, Uthangarai Taluk, Krishnagiri District. After his demise, his mother has executed a Will dated 11.05.2011 with the Sub Registrar, Uthangari by document No.32/2011 in favour of the petitioner and his brothers and from the year 1992, his family was in possession and enjoyment of the same. While this is so, without verifying the revenue records properly, the respondents have issued patta to the fourth respondent family for the above said property. In this regard, he sent representations to respondents 1 to 3 to cancel the patta granted to the fourth respondent and to issue fresh patta to his family. Finding no response, he is before this Court seeking the above prayer.

3.A perusal of the records would show that on 11.04.2018, the District Revenue Officer, Krishnagiri has directed the Revenue Divisional Officer, Kirshnagiri District, second respondent to take action on the petitioner's representation.

4.Since the District Revenue Officer has already directed the second respondent to conduct enquiry into the grievance made by the petitioner, the Revenue Divisional Officer, Kirshnagiri District, the second respondent is directed to do the needful within a period of three weeks from the date of receipt of a copy of this order. Accordingly, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

1.The District Collector,
Krishnagiri, Krishnagiri District.

2.The Revenue Divisional Officer,
Krishnagiri, Krishnagiri District.

3.The Tashildar,
Taluk Office,
Uthangarai,
Krishnagiri District.

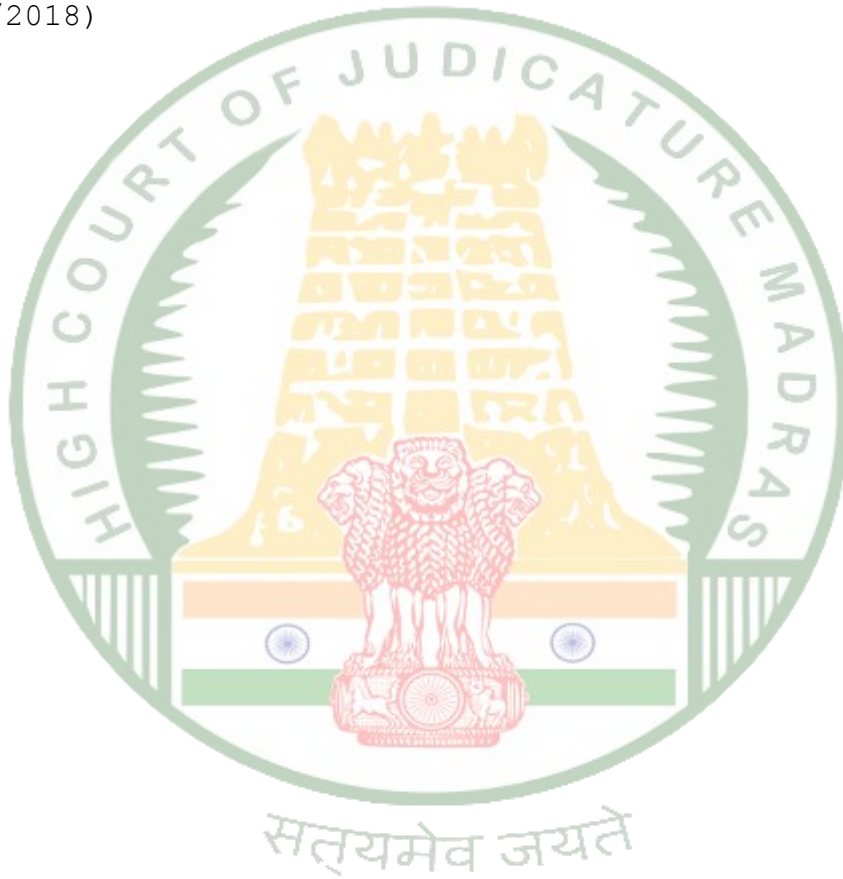
4.The District Revenue Officer,
Krishnagiri District,
Krishnagiri.

+1cc to Mr.K.Kalaivani, Advocate, S.R.No.42113

+1cc to the Government Pleader, S.R.No.43211

W.P. No.15988 of 2018

NMI (CO)
GSP (12/07/2018)



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