



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 17.06.2019

CORAM

THE HONOURABLE Mr.JUSTICE K.KALYANASUNDARAM

W.P.No.39967 of 2005
and W.P.M.P.No.42872 of 2005

A.Veeramalai (died)

1. Ani
 2. Hemanthkumar
 3. Lahiri
 4. Shankar
 5. Minor Brijesh
- (Minor rep. by his mother and next friend Ani) ..Petitioners

[P1 to P5, substituted as per the order of this Court,
dated 17.06.2019 in WPMP.No.352 of 2012
in W.P.No.39967 of 2005]

Vs

- 1.The State of Tamil Nadu,
Rep. by the Secretary,
Revenue Department,
Fort St. George, Chennai 600 009.
 - 2.The District Collector,
Tiruchi District, Tiruchi.
 - 3.The District Revenue Officer,
Tiruchi.
 - 4.The Revenue Divisional Officer,
Tiruchi.
 - 5.The Tahsildar,
Tiruchi.
 - 6.Selvakumar
- ..Respondents

Prayer:- The Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the respondents 1 to 5 herein to issue patta to the petitioner for the land of an extent of 6.25 acres in old S.No.86, New S.Nos.331 to 333 in Navalpattu Village, Tiruchi Taluk and District pursuant to the petitioner's representation dated 19.08.2005.



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For Petitioners : Mrs.R.Meenal
For Respondents : Mr.A.N.Thambidurai, Spl.G.P.
for RR1 to 5
Mr.R.Govindaraj, for R6

ORDER

This Writ Petition has been filed for issuance of a Writ of Mandamus, directing the respondents 1 to 5 herein to issue patta to the petitioners' land.

2. The learned counsel for the petitioners would state that the land measuring 6.25 acres in old S.No.86, New S.Nos.331 to 333 in Navalpattu Village, Tiruchi Taluk and District was purchased by the father of the original Writ Petitioner, on 27.05.1960 through a registered sale deed. However, the official respondents have not issued patta despite the representation made by the petitioner and hence, the present Writ Petition.

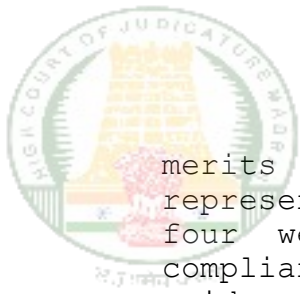
3. The learned counsel for the petitioners would further submit that it would suffice if a direction is issued to the official respondents to consider the grievance of the petitioners in a time frame.

4. The learned Standing Counsel for the respondents 1 to 5 would submit that the petitioners' land was originally under the jurisdiction of the Tahsildar East Thiruchirapalli District and after bifurcation now it comes under Tahsildar Thiruverumbur. He further submitted that if a fresh representation is given to the concerned officer, he is ready to consider the same and pass orders in accordance with law.

5. The learned counsel for the sixth respondent would state that since there is a rival claim, Tahsildar, Thiruverumbur may be directed to consider the representation only after providing ample opportunity to the sixth respondent.

6. It is represented that during the pendency of the Writ Petition, the original Writ Petitioner, viz., Veeramalai died and his legal heirs, the petitioners 1 to 5 are brought on record. Subsequently, one of the legal heirs, viz., Hemanthkumar / second petitioner died on 21.01.2018 and a memo dated 03.06.2019 was filed stating that he was a bachelor and his legal heirs were already on record. The said memo is taken on file.

7. Considering the limited scope of the prayer sought for in the Writ Petition and the submissions made by the learned counsels on either side, this Court without going into the



merits of the case, directs the petitioners to give a fresh representation to Tahsildar, Thiruverumbur within a period of four weeks by enclosing the copy of this order. On such compliance, Tiruvarambur Tahsildar is directed to consider the said representation and pass appropriate orders on merits and in accordance with law, after providing ample opportunities to the petitioners and other necessary parties, within a period of twelve weeks therefrom.

8. With the above directions, the Writ Petition is disposed of No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-VIII)

//True Copy//

Sub Assistant Registrar

pvs

To

1.The Secretary,
The State of Tamil Nadu,
Revenue Department,
Fort St. George, Chennai 600 009.

2.The District Collector,
Tiruchi District, Tiruchi.

3.The District Revenue Officer,
Tiruchi.

4.The Revenue Divisional Officer,
Tiruchi.

5.The Tahsildar,
Tiruchi.

+1cc to Mr.R.Subramanian Advocate, S.R.No.49326
+1cc to the Government Pleader, S.R.No.49429

SVI (CO)
CB(26/09/2019)

W.P.No.39967 of 2005