

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2019

CORAM

THE HONOURABLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.6443 of 2019

N.Maheswari

...Petitioner

Vs.

1. The District Collector,  
Office of the District Collector,  
Kancheepuram,  
Kancheepuram District.

2. The Tahsildar,  
Solinganallur Taluk Office,  
Solinganallur,  
Kancheepuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the respondents to consider the petitioner's representation dated 24.01.2019 within stipulated time as may be framed.

For Petitioner : Mr.R.Chittibabu

For Respondents : Mr.E.Balamurugan  
Special Government Pleader

O R D E R

Mr.E.Balamurugan, learned Special Government Pleader takes notice for the respondents. By consent of the parties, this main writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner seeks for a mandamus directing the respondents to consider her representation dated 24.01.2019, wherein and whereby, she sought for reclassification of the subject matter land and to restore patta.

3. It is stated that the petitioner's father, an Ex-Serviceman was in possession and enjoyment of the subject matter land and that the subject matter land was originally classified as "Dry Assessed Waste Land". Thus, it is stated that the said

land was assigned to the petitioner's father under the category as serving personnel. Now, after the death of the father, one of the legal heirs is before this Court and seeks for reclassification of the land which according to her, was wrongly classified as "Kazhuveli Tharisu Land".

4. This Court, at this stage, is not expressing any view on the merits of the claim made by the petitioner, as it is for the first respondent to consider and decide. However, as it is seen that apart from the petitioner, there are other legal heirs of the deceased assignee, the first respondent shall issue notice to all the legal heirs of the deceased assignee and thereafter, conduct an enquiry and pass appropriate orders on merits and in accordance with law on the request made for reclassification. Such exercise shall be done by the first respondent within a period of three months from the date of receipt of a copy of this order. No costs.

sni/mk

Sd/-

Assistant Registrar (CS VIII)

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,  
Office of the District Collector,  
Kancheepuram,  
Kancheepuram District.
2. The Tahsildar,  
Solinganallur Taluk Office,  
Solinganallur,  
Kancheepuram District.

+1cc to Mr.R.Chittibabu, Advocate, SR.No.21102  
+1cc to the Govt.Pleader, Vide Sr.No.22039

W.P.No.6443 of 2019

SAI (CO)  
Kak (04/04/2019)