

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 16.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.12082/2020

U.Sardar Singh

..Petitioner

Versus

1. The Additional District Collector
[Revenue], O/o.The District Collector,
Collector Office Road,
Moovender Nagar, Villupuram District.
Tamil Nadu 605 602.
2. The Sub Collector
Office of the Sub Collector
Tindivanam, Villupuram District.
Tamil Nadu 604 001.
3. The Tahsildar
Melmalaiyanur Taluk Office,
Melmalayanur, Villupuram District
Tamil Nadu 604 204.
4. The Sub Registrar
Office of the Sub Registrar,
Gingee, Tamil Nadu 604 202.

5.Tmt.Poongodi

..Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 3rd respondent to conduct the detail enquiry upon the representation dated 08.06.2020 by the petitioner in view of compliance report sought for through the letter of 1st and 2nd respondent vide its No.O.Mu.Aa2/10855/2020 dated 22.06.2020 and O.Mu[A2]/4209/2020 dated 24.07.2020 respectively by cancelling the individual patta in the name of 5th respondent in accordance with law.

For Petitioner : Mr.S.Jeyakumar

For Respondents : Mr.Mani Gopi

Government Advocate for RR1 to 3

Mr.T.M.Pappiah

Special Government Pleader

ORDER

- (1) This writ petition has been filed for the issue of a writ of mandamus, directing the 3rd respondent to conduct an enquiry based on the representation given by the petitioner on 08.06.2020 and to hand over the report to respondents 1 and 2.
- (2) The case of the petitioner is that the subject property is an ancestral property and the petitioner is the owner of an extent of 5 1/2 cents in the said property through inheritance. The further case of the petitioner is that a joint patta was issued in the year 1992 in the name of the petitioner and one Ammachi Ammal. The grievance of the petitioner is that the 5th respondent has now obtained a patta for the entire property in her individual name. The petitioner, aggrieved by the same, made a representation to respondents 1 and 2. Respondents 1 and 2 directed the 3rd respondent to conduct an enquiry and submit a report. Since the 3rd respondent did not conduct any enquiry and submit a report, the present writ petition has been filed seeking for appropriate directions.
- (3) Heard the learned counsel for the petitioner and Mr. Mani Gopi, learned Government Advocate accepting notice on behalf of respondents 1 to 3 and Mr. T. M. Pappiah, learned Special Government Pleader accepting notice on behalf of the 4th respondent.
- (4) Taking into consideration, the facts and circumstances of the case and the limited relief sought for in this writ petition, there shall be a direction to the 3rd respondent to consider the representation made by the petitioner on 08.06.2020 and conduct an enquiry by giving sufficient opportunity to the petitioner and the 5th respondent herein and submit a report to the 2nd respondent within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation along with the copy of the representation dated 08.06.2020 and all other relevant documents and also a copy of this order.
- (5) This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

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+1cc to the Government Pleader in SR.NO..30404

WP.No.12082/2020

RJI(CO)
RV(21/10/2020)



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