

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.09.2020

CORAM

THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH

WP.No.13019/2020

M.Govindasami Naidu

.. Petitioner

Versus

- 1.The District Collector
Collectorate, Ranipet,
Ranipet District.
- 2.The District Revenue Officer,
Ranipet, Ranipet District.
- 3.The Revenue Divisional Officer
Ranipet, Ranipet District.
- 4.The Tahsildar,
Taluk Office, Sholinghur Taluk
Sholinghur, Ranipet District.
- 5.The Village Administrative Officer
Banavaram Village, Sholinghur Taluk
Ranipet District.
- 6.Mr.Vadivel
- 7.Mr.Sivakumar
- 8.Mr.Sridhar
- 9.Mrs.Neelaveni
- 10.Mr.Ashokkumar
- 11.Mr.Veerasingam Naidu
- 12.Mr.J.Muthusamy
- 13.Mr.J.Murugesan
- 14.Mr.E.Parthasarathy

.. Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the 2nd respondent to remove the name of respondents 6 to 14 from patta No.1131, in Banavaram Village Account, Sholinghur Taluk, Ranipet District.

Page numbers

For Petitioner : Mr.A.Gouthaman

For RR 1 to 5 : Mr.S.N.Parthasarathi, GA

ORDER

- (1) This writ petition has been filed for the issue of a writ of mandamus, directing the 2nd respondent to act upon the representation made by the petitioner on 14.08.2020 and to remove the names of respondents 6 to 14 from the joint patta.
- (2) The case of the petitioner is that originally a joint patta was issued for the subject property in Patta No.1131 in the name of the petitioner and others. The further case of the petitioner is that subsequently, the property has been sub-divided and individual pattas have been granted in the concerned sub-division number in favour of respondents 6 to 14. The petitioner, therefore, made a representation to the 2nd respondent requesting for the removal of the names of respondents 6 to 14 from Patta No.1131. Since the same was not considered, the present writ petition has been filed before this Court seeking for appropriate directions.
- (3) Heard the learned counsel for the petitioner and Mr.S.N.Parthasarathi, learned Government Advocate accepting notice on behalf of the respondents 1 to 5.
- (4) The specific case of the petitioner is that subsequent to the Partition of the joint family property, respondents 6 to 14 have applied for separate patta for the sub-divided portion and it has also been granted in their favour. The petitioner, therefore, wants their names to be removed from the original Patta No.1131. A representation has been given before the 2nd respondent in this regard.
- (5) In the considered view of this Court, the request made by the petitioner can be considered by the 4th respondent since he is vested with such a power under the Patta Passbook Act. It will, therefore, be more appropriate for the petitioner to make an application before the 4th respondent. As and when the petitioner makes an application before the 4th respondent by providing with all particulars and relevant documents, the 4th respondent shall consider the same after issuing notice to all the interested parties, strictly in accordance with law and pass orders within a period of eight weeks from the date of receipt of the application from the petitioner.

Page numbers

(6)This writ petition is disposed of with the above direction.
No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

AP

To

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Sholinghur, Ranipet District.
- 5.The Village Administrative Officer
Banavaram Village, Sholinghur Taluk
Ranipet District.

+1cc to Mr.A.Gouthaman, Advocate SR.30921

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Page numbers