

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.12.2020

CORAM

THE HONOURABLE MR.JUSTICE N. ANAND VENKATESH

W.P.No.18070 of 2020

Mrs.S.Seeni Vasugi

... Petitioner

Vs.

1.The District Collector,
Chengalpattu.

2.The Revenue Divisional Officer,
Tambaram.

3.The Tahsildar, Tambaram.

4.Mrs.Vasantha

... Respondents

Prayer: Writ Petition filed under Section 226 of Constitution of India praying for issuance of Writ of Certiorarified Mandamus calling for the records of the proceedings of the third respondent dt.16.5.2013 granting house site/patta to the 4th respondent, quash the same as illegal and further direct the respondents 1 to 3 to grant house site/patta to the petitioners and their brother in accordance to law.

For Petitioner : Mr. Yudish Padman

For Respondents: Mr.Annai Ezhi, Govt.Advocate-R1 -R3

O R D E R

This Writ Petition has been filed challenging the proceedings of the 3rd respondent dated 16.5.2013, wherein a house site patta has been granted in favour of the 4th respondent.

2. The case of the petitioner is that the subject property originally belonged to the parents of the petitioner and they died intestate leaving behind two daughters and two sons. According to the petitioner, each legal heir is entitled for a share in the property.

3. The further case of the petitioner is that the husband of the 4th respondent who is the brother of the petitioner approached the 3rd respondent and sought for a house site patta in the subject property. He died and thereafter the 4th respondent had managed to get a patta from the third respondent for the entire property. According to the petitioner, this patta was given in favour of the 4th respondent behind the back of all the other legal heirs. The petitioner therefore made a representation to the respondents on 20.08.2020 to conduct an enquiry and to cancel the house site patta issued in the name of the 4th respondent.

4. Mr. Annai Ezhil, learned Govt. Advocate appearing on behalf of the respondents 1 to 3 submitted that the 3rd respondent has already called the parties for an enquiry on 22.12.2020 at 11 a.m. The learned counsel further submitted that the petitioner can be present at the time of enquiry along with all the relevant documents.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the 3rd respondent has already called the parties for enquiry, there shall be a direction to the 3rd respondent to conduct enquiry after affording opportunity to the petitioner, 4th respondent and all the other legal heirs and final orders shall be passed strictly in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msr

To

- 1.The District Collector,
Chengalpattu.
2. The Revenue Divisional Officer,
Tambaram.

3. The Tahsildar, Tambaram.

+1cc to Mr. Yudish Padman, Advocate, SR40648

+1cc to The Government Pleader, SR40708

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CO (MG)
BDL/19/01/2021



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