

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.02.2021

CORAM:

THE HON'BLE MR.JUSTICE N.SESHASAYEE

WP.No.1770 of 2021

U.Rajeshwaran

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Petitioner

-Vs-

1.The District Revenue Officer,
Tiruvarur
Tiruvarur District.

2.The Revenue Divisional Officer,
Mannargudi
Tiruvarur District.

3.The Tahsildar,
Mannargudi Taluk,
Tiruvarur District.

4.Vaireshwaran

...

Respondents

Prayer: Writ Petition is filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the second respondent to cancel the patta No.621 on the file of 3rd respondent stands in favour of 4th respondent for the join family property comprised in survey No.383 admeasuring to an extend of 19 cents situated at Kottur Village, Tiruvarur district in pursuance of the petitioner representation dated 19.11.2020.

For Petitioner : Mr.M.Subash

For R1 to R3 : Mrs.R.Janaki

Additional Government Pleader

ORDER

The petitioner seeks issuance of patta in his name in regard to the property in Survey No's.172/3 and 38. The said property was purchased by his father. The patta was issued in the name of 4th respondent, who is the brother of the petitioner. Thereafter, the petitioner wants the 2nd respondent to cancel the patta issued in the name of the 4th respondent.

2.Learned counsel for the petitioner submits that the property has not been partitioned between the brothers and

therefore, issuance of patta in the name of the 4th respondent is bad.

3.Mrs. R.Janaki, learned Additional Government Pleader appearing for the respondents 1 to 4, made a statement on instructions that an enquiry is scheduled to take place at 3 P.M., on 12.02.2021 in the office of the 3rd respondent.

4.The said statement of the learned Additional Government Pleader is recorded.

5.In view of the above, no further direction is required to be given except that the third respondent is directed to issue notice to all the parties who are likely to be affected by his decision, provide them a fair and effective hearing and to dispose of the matter through a speaking order within a period of eight(8) weeks from 12.02.2021.

6.The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar (C.S.VI)

/True Copy/

Sub Assistant Registrar

To

1.The District Revenue Officer,
Tiruvarur
Tiruvarur District.

2.The Revenue Divisional Officer,
Mannargudi
Tiruvarur District.

3.The Tahsildar,
Mannargudi Taluk,
Tiruvarur District.

+1cc to The Government Pleader SR.NO.5384

AKM/25.02.21/ 2P-5C/

Order made in
W.P.No.1770 of 2021
01.02.2021