

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.04.2021

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No.8598 of 2021
and WMP.No.9149 of 2021

K.Gomathi ... Petitioner

Vs

- 1.The District Collector,
District Collector Office,
Erode District.
- 2.The District Revenue Officer,
District Revenue Office,
Erode District,
Erode.
- 3.The Revenue Divisional Officer,
Perundurai,
Erode District.
- 4.The Revenue Tahsildar,
Perundurai,
Erode District. ... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 4th respondent to restore name of the petitioner in the respective Patta Nos.752, 753 and 754 for her lands situated in S.f.Nos.109/11A,124/2B and 109/6A at Mullampatti Village, Perundurai Taluk, Erode District.

For petitioner
For respondents

... Mr.M.Guru Prasad
... Mrs.R.Janaki, AGP

ORDER

This writ petition has been filed seeking a direction to the 4th respondent to restore the name of the petitioner in the

patta Nos.752, 753, and 754 for the lands situated in S.F.Nos.109/11A, 124/2B and 106/6A at Mullampatti Village, Perundurai Taluk.

2. The grievance of the petitioner is that, the properties in Survey Nos. S.F.No.109/6A, 109/11A and 124/2B have been assigned in favour of one Kaliammal in the year 2000. Thereafter, the assignee had executed a Will in favour of one Mohanasundaram. After the death of the assignee, the said Mohanasundaram became the absolute owner of the property. Subsequently, the 3rd respondent, Revenue Divisional Officer, Perundurai, Erode, by an order dated 11.02.2020, relaxed the conditions imposed on the assignee and converted the conditional patta into a normal patta. Thereafter, on 17.02.2020, the petitioner has purchased the said properties and applied for chitta and then only, she came to know that the land has been classified as "Government land" and the conditional patta has also been cancelled by the first respondent. Hence, she made a representation to the authorities concerned to issue a patta in her name and the same has not been considered till date. Hence, the present writ petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who takes notice for the respondents.

4. Considering the facts and circumstances of the case and also the fact that the petitioner's representation, dated 19.02.2021 is pending with the first respondent/District Collector, the first respondent is directed to consider the petitioner's representation dated 19.02.2021 and pass suitable orders on merits and in accordance with law after giving opportunity to the petitioner within a period of six(6) weeks from the date of receipt of a copy of this order.

5. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

mpr

To

1.The District Collector,
District Collector Office,
Erode District.

2.The District Revenue Officer,
District Revenue Office,
Erode District,
Erode.

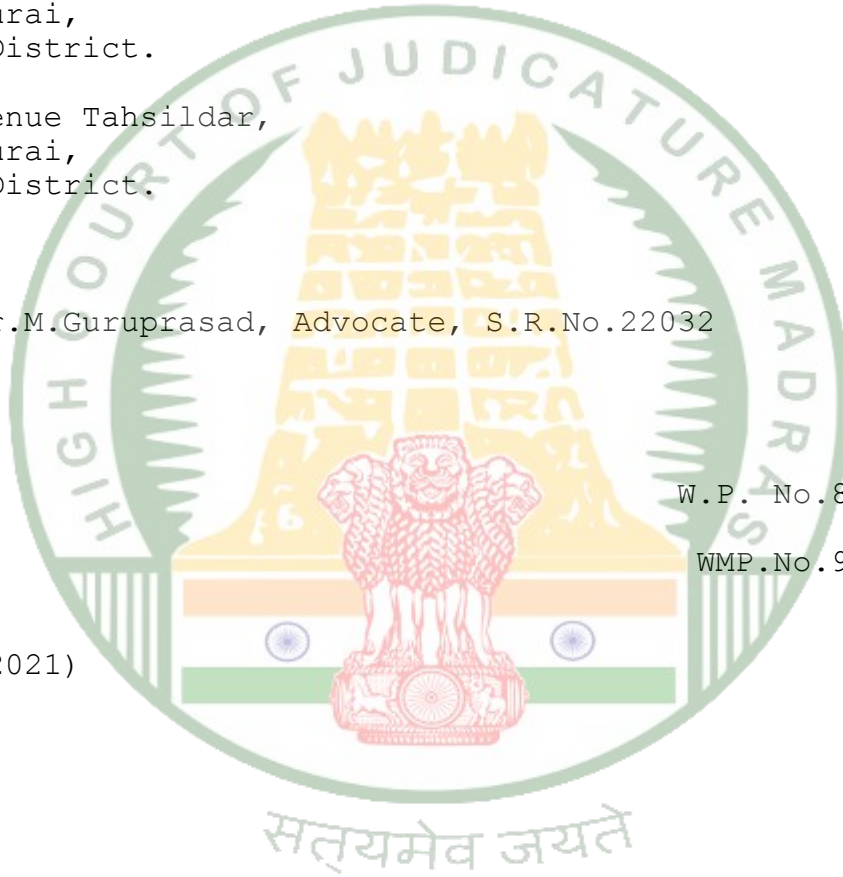
3.The Revenue Divisional Officer,
Perundurai,
Erode District.

4.The Revenue Tahsildar,
Perundurai,
Erode District.

+1cc to Mr.M.Guruprasad, Advocate, S.R.No.22032

W.P. No.8598 of 2021
and
WMP.No.9149 of 2021

UM(CO)
KM(29/04/2021)



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