

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.04.2021

CORAM

THE HONOURABLE MR.JUSTICE V. BHARATHIDASAN

W.P. No.8967 of 2021

Mr. Varatharaja Mudaliyar

...

Petitioner

Vs

1.The District Collector,
Kanchipuram District Collector Office,
Kanchipuram, Kanchipuram District.

2. The Tahsildar,
Kanchipuram Taluk Office,
Kanchipuram, Kanchipuram District.

3. The Village Administrative Officer,
Konerikuppam Village,
Kanchipuram, Kanchipuram District.

4. M. Singaram,
S/o. Murugesha Mudhaliyar

5. K. Kanniyappan
S/o. Kumaresa Mudaliyar

6. T.R.Sankaran,
S/o. Rajagoopal

7. C. Rangarajan
S/o. Sakkrabani Pillai

8. K. Ramamoorthy,
S/o.Kalyana Sundram.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 to 3 to conduct enquiry based on the representation dated 10.03.2017 and 16.09.2019 by calling all the persons concerned and to restore the petitioner name in the revenue records including patta, to its original possession in the said property at survey no.247/1, measuring to an extent of Acre 4.10 cents

and survey No.248/3, measuring to an extent of 0.53 cents, totally measuring to an extent of Acre 4.63 cents, Konerikuppam village, Kanchipuram Taluk, by making necessary changes in the revenue records of the said property with regard to the petitioner respective share of the extent of acre 1.54 cents in the said property, after conducting due enquiry in this regard by giving opportunity to all the persons concerned.

For petitioner ... Mr. P. Balamurugan

For respondents ... Mr. Y. Parthasarathy,
Gov. Advocate
R1 to R3

ORDER

This writ petition has been filed seeking a direction to the 2nd respondent to conduct enquiry on the petitioner's representation dated 16.09.2019.

2. The grievance of the petitioner is that, the property in dispute is the joint family property, and a joint patta has been issued to all the co-owners. Subsequently, without any notice to the petitioner, separate patta has been issued to the other owners. Hence, the petitioner made a representation dated 16.09.2019 to the second respondent in respect of Survey No.247/1 & 248/3. But, so far no order has been passed in the said representation. Hence, the present writ petition has been filed.

3. I have heard the learned counsel appearing for the petitioner and the learned Government Advocate, who takes notice for the respondents 1 to 3.

4. Considering the facts and circumstances of the case and the limited prayer sought for in the writ petition, and also the fact that the petitioner's representation, dated 16.09.2019 is pending with the second respondent, without going into the merits of the case, the second respondent is directed to consider the petitioner's representation dated 16.09.2019 and pass suitable orders on merits and in accordance with law after giving opportunity to the petitioner as well as other affected parties, within a period of twelve (12) 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.

Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

mrp

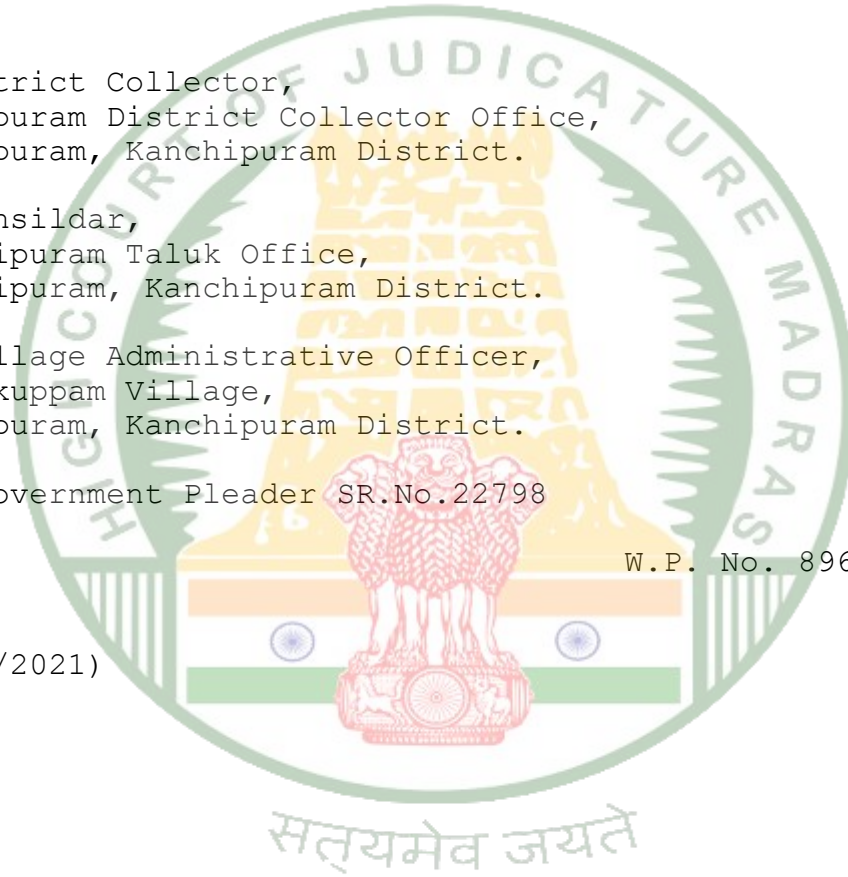
To

- 1.The District Collector,
Kanchipuram District Collector Office,
Kanchipuram, Kanchipuram District.
2. The Tahsildar,
Kanchipuram Taluk Office,
Kanchipuram, Kanchipuram District.
3. The Village Administrative Officer,
Konerikuppam Village,
Kanchipuram, Kanchipuram District.

+1cc to Government Pleader SR.No.22798

W.P. No. 8967 of 2021

GPL (CO)
GMY (16/06/2021)



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